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ENVIRONMENTAL PROTECTION AGENCY (EPA)

ENVIRONMENTAL PROTECTION AGENCY (EPA)

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October 2000 Agenda of Regulatory and Deregulatory Actions

AGENCY: Environmental Protection Agency.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Environmental Protection Agency (EPA) publishes the Semiannual Agenda of Regulatory and Deregulatory Actions to update the public about:

- Regulations currently under development,
- Reviews of existing regulations, and
- Rulemakings completed or canceled since the last Agenda.

EPA believes that if the people affected by rules take part in developing them, we will produce rules that are clearer, less costly, and more effective.

TO BE PLACED ON THE AGENDA MAILING LIST:

If you would like to receive copies of future Agendas, please contact Janice Ndunguru (1806A), 1200 Pennsylvania Avenue NW., Washington, DC 20460; or by e-mail at ndunguru.janice@epa.gov; or by phone at (202) 564-6572. There is no charge for the Agenda.

FOR FURTHER INFORMATION CONTACT: We welcome your comments and suggestions on how we can improve the Agenda. If you have questions or comments about a particular rule, please get in touch with the agency contact listed for that rule. If you have general comments, questions, or suggestions about the Agenda or about EPA's rulemaking process, please direct them to: Philip Schwartz (1806A), Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460; phone: (202) 564-6564; e-mail: schwartz.philip@epa.gov.

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The Rulemaking Process

Congress has created a number of requirements that agencies must meet when they issue regulations. These requirements are contained in the Administrative Procedure Act, the Regulatory Flexibility Act as amended by the Small Business Regulatory Enforcement Fairness Act, the Unfunded Mandates Reform Act, the Paperwork Reduction Act, the National Technology Transfer and Advancement Act, and the Congressional Review Act. You can find information on many of these statutes at <http://www.law.cornell.edu/uscode/>.

President Clinton has also ordered that we meet a number of requirements when we issue regulations. Of particular significance for EPA rulemakings are Executive Orders 12866 (Regulatory Planning and Review), 13045 (Children's Health Protection), 13084 (Consultation and Coordination with Indian Tribal Governments), and 13132 (Federalism). You can find information on these and other Executive orders at <http://www.pub.whitehouse.gov/search/executive-orders.html>.

We encourage you to take part in the rulemaking process to make your views known and help us craft rules that:

- Protect human health,
- Preserve and enhance the environment, and
- Meet environmental goals without being unnecessarily burdensome.

In addition to contacting the expert responsible for developing a particular rule, you can also comment on proposed rules that we publish in the **Federal Register**. Once we have proposed a rule, we will consider your comments and address them before issuing a final rule. To be most effective, comments should contain persuasive information and data that support your position, and you should also explain why we should incorporate your suggestion in the final rule. You can be particularly helpful and persuasive if you provide examples

to illustrate your concerns and offer specific alternatives.

The Agenda also includes some of our more important guidance documents. While these documents are not legally binding on EPA or outside parties, they will guide our thinking in major policy areas. We invite you to take part in developing these documents.

EPA's Regulatory Philosophy and Priorities

We will only issue such regulations as are required by law, are necessary to interpret the law, or are made necessary by compelling public need, such as failures of private markets to protect or improve the health and safety of the public, the environment, or the wellbeing of the American people. In deciding whether and how to regulate, we assess costs and benefits of available regulatory alternatives, including the alternative of not regulating. Costs and benefits are understood to include both quantifiable measures (to the fullest extent that these can be usefully estimated) and qualitative measures of costs and benefits that are difficult to quantify, but nevertheless essential to consider. Further, in choosing among alternative regulatory approaches, we will select those approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity), unless a statute requires another regulatory approach.

Much of the success over the last 30 years in cleaning up the Nation's water, air, and land is attributable to the system of Federal and State regulation that has directed and coordinated private investment in pollution control and prevention. While regulation will remain at the core of American environmental policy in the foreseeable future, we have learned that we cannot consider ourselves merely a regulatory agency if we are to be what the public expects and requires, the principal administrator for environmental protection in our society. Instead, in the twenty-first century EPA must increasingly act as an innovator, educator, and leader in administering a broad set of new tools — including new methods to design and administer regulations — that engage all segments of our society in responsive behaviors that protect the environment while promoting appropriate economic

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growth. EPA has vigorously responded to the President and Vice President's call for a government that works better and costs less. We are emphasizing:

- Cheaper, cleaner, and smarter regulations
- Enhancing our partnerships with States, tribes and industry to place decisionmaking responsibility where it will best balance the twin goals of national consistency and local responsiveness, and
- Expanding the power of individuals to recognize and respond to environmental challenges in their own communities

To learn more about what we are accomplishing in these areas please refer to the "Statement of Regulatory and Deregulatory Priorities" contained in EPA's 2000 Regulatory Plan in part II of today's **Federal Register**.

What Actions Are Included in the Agenda?

EPA includes regulations and certain major policy documents in the Agenda. We do not generally include minor amendments or the following categories of actions in the Agenda:

- Under the Clean Air Act: Revisions to State Implementation Plans; Equivalent Methods for Ambient Air Quality Monitoring; Deletions from the New Source Performance Standards source categories list; Delegations of Authority to States; Area Designations for Air Quality Planning Purposes.
- Under the Federal Insecticide, Fungicide, and Rodenticide Act: Actions regarding pesticide tolerances and food additive regulations; decision documents defining and establishing registration standards; decision documents and termination decisions for the Special Review Registration process; and data call-in requests made under section 3(c)(2)(B).
- Under the Resource Conservation and Recovery Act: Authorization of State solid waste management plans; hazardous waste delisting petitions.
- Under the Clean Water Act: State Water Quality Standards; Deletions from the section 307(a) list of toxic pollutants; Suspensions of toxic testing requirements under the National Pollutant Discharge Elimination System (NPDES); Delegations of NPDES authority to States.

- Under the Safe Drinking Water Act: Actions on State underground injection control programs.

The Office of Management and Budget has exempted most of these actions from the Executive Order 12866 review procedures. There is no legal significance to the omission of an item from the Agenda.

How Is the Agenda Organized?

We have organized the Agenda:

- First, by the law that would authorize a particular regulation;
- Second, by the current stage of development (proposal, final, etc.); and
- Third, by the section number of the statute which requires or authorizes the rule.

The following 13 sections deal with 12 laws that EPA administers and a thirteenth broader section called "General" that includes cross-cutting actions, such as rules authorized by multiple statutes and general acquisition rules:

1. General
2. The Clean Air Act (CAA)
3. The Atomic Energy Act (AEA)
4. The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)
5. The Toxic Substances Control Act (TSCA)
6. The Emergency Planning and Community Right-to-Know Act (EPCRA)
7. Chemical Safety Information, Site Security and Fuels Regulatory Relief Act
8. The Resource Conservation and Recovery Act (RCRA)
9. The Oil Pollution Act (OPA)
10. The Comprehensive Environmental Response, Compensation, and Liability Act Superfund (CERCLA)
11. The Clean Water Act (CWA)
12. The Safe Drinking Water Act (SDWA)
13. The Shore Protection Act (SPA)

In each of these 13 sections, there are up to 5 headings covering the following stages of rulemaking:

1. Prerulemakings - Prerulemaking actions are intended to determine whether EPA should initiate rulemaking. Prerulemakings may include anything that influences or leads to rulemaking, such as advance

notices of proposed rulemaking (ANPRMs), significant studies or analyses of the possible need for regulatory action, announcement of reviews of existing regulations required under section 610 of the Regulatory Flexibility Act, requests for public comment on the need for regulatory action, or important preregulatory policy proposals.

2. Proposed Rules - This section includes EPA rulemaking actions that are within a year of proposal (publication of Notices of Proposed Rulemakings (NPRMs)).

3. Final Rules - This section includes rules that are within a year of final promulgation.

4. Long-Term Actions - This section includes rulemakings for which the next scheduled regulatory action is after September 2001.

5. Completed Actions - This section contains actions that have been promulgated and published in the **Federal Register** since publication of the April 2000 Agenda. It also includes actions that we are no longer considering. If an action appears in the completed section, it will not appear in future Agendas unless we decide to initiate action again, in which case it will appear as a new entry. EPA also announces the results of our Regulatory Flexibility Act section 610 reviews in this section of the Agenda.

What Information Is in Agenda Entries?

Agenda entries include the following information, where applicable:

Sequence Number: This indicates where the entry appears in the Agenda.

Title: Titles for new entries (those that haven't appeared in previous Agendas) are preceded by a bullet (•). The notation "Section 610 Review" follows the title if we are reviewing the rule as part of our periodic review of existing rules under section 610 of the Regulatory Flexibility Act (5 U.S.C. 610).

Priority: Entries are placed into one of five categories described below.

Economically Significant: As defined in Executive Order 12866, a rulemaking action that will have an annual effect on the economy of \$100 million or more or will adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or

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communities. OMB reviews all economically significant rules under Executive Order 12866.

Other Significant: A rulemaking that is not economically significant but is considered significant by the agency. This category includes rules that are an EPA priority and rules that EPA anticipates will be reviewed by the Office of Management and Budget under Executive Order 12866 because they are likely to:

- create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;
- materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights or obligations of recipients; or
- raise novel legal or policy issues.

Substantive, Nonsignificant: A rulemaking that has substantive impacts but is neither Significant, nor Routine and Frequent, nor

Routine and Frequent: A rulemaking that is a specific case of a multiple recurring application of a regulatory program in the Code of Federal Regulations and that does not alter the body of the regulation.

Informational/Administrative/Other: A rulemaking that is primarily informational or pertains to agency matters not central to accomplishing the agency's regulatory mandate but that the agency places in the Agenda to inform the public of the activity.

Also, if we believe that a rule may be "major" as defined in the congressional review provisions of the Small Business Regulatory Enforcement Fairness Act (SBREFA) (5 U.S.C. 801; Public Law 104-121) because it is likely to result in an annual effect on the economy of \$100 million or more or meets other criteria specified in this law, we indicate this under the "Priority" heading with the statement "Major under 5 U.S.C. 801."

Legal Authority: The sections of the United States Code (U.S.C.), Public Law (P.L.), Executive Order (E.O.), or common name of the law that authorizes the regulatory action.

CFR Citation: The sections of the Code of Federal Regulations that will be affected by the action.

Legal Deadline: An indication of whether the rule is subject to a statutory or judicial deadline, the date of that deadline, and whether the deadline

pertains to a Notice of Proposed Rulemaking, a Final Action, or some other action.

Abstract: A brief description of the problem the regulation will address; the need for a Federal solution; to the extent available, the alternatives that the agency is considering to address the problem; and the potential advantages and disadvantages of the action.

Timetable: The dates (and citations) that documents for this action were published in the **Federal Register** and, where possible, a projected date for the next step. Projected publication dates frequently change during the course of a rule development. The projections in the Agenda are our best estimates as of the date we submit the Agenda for publication. For some entries, the timetable indicates that the date of the next action is "to be determined."

Regulatory Flexibility Analysis Required: Indicates whether EPA has prepared or anticipates that it will be preparing a regulatory flexibility analysis under section 603 or 604 of the Regulatory Flexibility Act. Generally, such an analysis is required for proposed or final rules that EPA believes may have a significant economic impact on a substantial number of small entities.

Small Entities Affected: Indicates whether we expect the rule to have any effect on small entities.

Government Levels Affected: Indicates whether we expect the rule to have any effect on levels of government and, if so, whether the governments are State, local, tribal, or Federal.

Federalism Implications: Indicates whether the action is expected to have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

Unfunded Mandates: Section 202 of the Unfunded Mandates Reform Act requires an assessment of anticipated costs and benefits if a rule includes a mandate that may result in expenditures of more than \$100 million in any one year by State, local, and tribal governments, in the aggregate, or by the private sector. If we expect to exceed this \$100 million threshold, we note it in this section.

Reinventing Government: If an action is part of the President's Reinventing

Government Initiative, we indicate it in this section.

Agency Contact: The name, address, phone number, and e-mail address, if available, of a person who is knowledgeable about the regulation.

SAN Number: A code number that EPA uses to identify and track rulemakings.

RIN: The Regulatory Identifier Number is used by OMB to identify and track rulemakings.

What Tools Are Available To Help Quickly Identify Rules That Are of Interest to You?

The Regulatory Information Service Center (RISC), The Government Printing Office (GPO), and the EPA have created a number of finding aids to help identify actions that are of interest to you.

For Rules That Directly Effect a Particular Industry: See Appendix F "Environmental Protection Agency Subject Index to the Unified Agenda." If you have access to the Internet, use GPO's search engine at http://www.access.gpo.gov/su_docs/aces/aaces002.html and select "Unified Agenda (2000)." If you include "Environmental Protection Agency" among the search terms, your results will be more limited to EPA actions. You can also use your browser "Find" function (which is located under "Edit") on RISC's online version of the Agenda's table of contents at <http://ciir.cs.umass.edu/ua/October2000/tables/table-19.html>. In Netscape this function is called "Find in Page" and Internet Explorer it is called "Find on Page." The RISC site just searches the EPA Agenda, so it is generally faster than the GPO site.

For Rules With Economic Impacts Over \$100 Million: Rules with an annual cost of \$100 million or more are classified as economically significant. All of the economically significant rules that we expect to issue through September 2001 are included in **The Regulatory Plan** (along with certain other high priority rules that will cost less than \$100 million per year). In the Table of Contents of this Agenda, all of **The Regulatory Plan** rules are highlighted in **bold**. **The Regulatory Plan** is published in part II of the same issue of the **Federal Register** in which we publish the Agenda. For each of the actions that we have included in **The Regulatory Plan**, we have included information on the risks, the alternatives

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under consideration, and the costs and benefits. We have four other economically significant rules (2060-AI99, 2060-AI44, 2060-AG99, 2060-AG69) included in the Long-Term Actions sections of the Clean Air Act rules and one (2040-AB79) in the Long-Term section of the Clean Water Act rules which are not in **The Regulatory Plan** because we expect to issue them after September of 2001.

For Rules With Impacts on Small Businesses, Small Governments, and Small Organizations: Go to Appendix B following this Agenda for the lists of the rules that we expect will have a significant impact on a substantial number of these small entities. These lists are also available on the Internet. The small businesses list is at http://ciir.cs.umass.edu/ua/October2000/entities/sm_index-2.html. The small governments list is at http://ciir.cs.umass.edu/ua/October2000/entities/sm_index-3.html. And the small organizations list is at http://ciir.cs.umass.edu/ua/October2000/entities/sm_index-4.html.

For rules that we expect will have some impact on some small entities but less than a significant impact on a substantial number of them, see Appendix C to this Agenda, "Index to Entries That May Affect Small Entities When a Regulatory Flexibility Analysis Is Not Required." This list is available on the Internet at <http://ciir.cs.umass.edu/ua/October2000/entities/smgov-5.html>.

For Rules With Impacts on State, Local, or Tribal Governments, or Other Federal Agencies: See Appendix D to this Agenda, "Index to Entries That May Affect Government Levels." This list is available on the Internet at <http://ciir.cs.umass.edu/ua/October2000/entities/smgov-8.html>.

What Particular Attention Do We Give to the Impacts of Rules on Small Entities?

For each of our rulemakings we consider whether there will be any adverse impact on any small entity. We attempt to fit the regulatory requirements, to the extent feasible, to the scale of the businesses organizations, and governmental jurisdictions subject to the regulation.

For Rules Under Development Expected To Have Some Impact on Small Entities, but Not a Significant Impact on a Substantial Number

In the "Small Entities Affected" section, we indicate whether we expect an action will have an impact on small businesses, governments, or nonprofit organizations, but one which is less than a significant impact on a substantial number. In the second index at the end of the Agenda, we list all actions that we believe will not have a significant impact on a substantial number of small entities but which will have some impact on small entities.

Regulatory Flexibility Act Considerations: For Rules Expected To Have a Significant Impact on a Substantial Number of Small Entities

The Regulatory Flexibility Act (RFA) as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA) requires that we pay particular attention to the impact of regulations on small entities (i.e., small businesses, small governmental jurisdictions, and small nonprofit organizations). The RFA/SBREFA applies to rules we are now developing and requires us to:

1. Convene a Small Business Advocacy Review (SBAR) Panel prior to proposing any rule with the potential to impose a significant economic impact on a substantial number of small entities (RFA section 609). SBREFA also established the EPA's Small Business Advocacy Chair who chairs each SBAR Panel. A SBAR Panel has four members: The Chair, the Chief Counsel for Advocacy of the Small Business Administration, the Administrator of the Office of Information and Regulatory Affairs within the Office of Management and Budget, and a senior manager from the EPA program office responsible for the subject rule. In the case of rules requiring a SBAR Panel, the Agency's small entity outreach prior to the convening of a Panel culminates in the development of a summary document that contains information on the potential impact of a proposed rule on small entities, and particularly on the issues referenced in RFA section 609. This summary then serves as the basis for convening the Panel. The Panel then conducts its review, carries out its own small entity outreach, and prepares a final report based on the comments from the small entity representatives and the Panel's deliberations. The Panel's

final report is provided to the EPA Administrator and is made a part of the rulemaking record. Rules listed in the second appendix at the end of the Agenda may require Small Business Advocacy Review Panels.

2. At the proposed and final rule stages of rule development, the Agency must prepare a regulatory flexibility analysis for any rule subject to notice and comment rulemaking requirements (RFA sections 603 and 604), unless the Administrator certifies that the rule will not have a "significant economic impact on a substantial number of small entities" (RFA section 605). A regulatory flexibility analysis must, among other items specified in the RFA, identify the extent to which small entities will be subject to the rule's requirements and describe any significant alternatives to the rule that accomplish the objectives of applicable statutes and which minimize any significant economic impacts on small entities. We have listed in the second index at the end of the Agenda all rules under development that may require a regulatory flexibility analysis.
3. RFA section 610 requires that an agency review within 10 years of promulgation those regulations that have or will have a significant economic impact on a substantial number of small entities. We undertake these reviews to decide whether we should continue the rule unchanged, amend it, or withdraw it. We announce our forthcoming 610 reviews in the "Prerule" section of the Agenda. We encourage small entities to provide comments on the need to change these rules. We will consider all of your comments as we decide whether to continue, amend, or withdraw these rules. We particularly encourage comments by small entities about how rules could be made clearer, more effective, or remove conflicting or overlapping requirements with other Federal or State regulations. Please direct your comments to the contact person listed in the Agenda entry. If you have general questions about our 610 review program or suggestions for other rules we should review under section 610, please contact Philip Schwartz (1806A), Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; fax: (202) 564-6564, e-mail: schwartz.philip@epa.gov.

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How Can You Access Federal Register Documents via the Internet and E-mail?

Like many organizations in the public and private sector, EPA is harnessing the power of the Internet to meet the needs of those we serve. The EPA Web site offers more than 100,000 files online.

If you want to get automatic e-mails about areas of particular interest as they appear in the **Federal Register** (FR), we maintain 12 collections including: air; water; wastes and emergency response; pesticides; toxic substances; right-to-know and toxic release inventory; environmental impacts; endangered species; meetings; the Science Advisory Board; daily full-text notices with page numbers; and general information. For more information and to subscribe via our FR Web site, visit: <http://www.epa.gov/fedrgstr/subscribe.htm>. If you have e-mail without full Internet access, please send

an e-mail to envsubset@epa.gov to request instructions for subscribing to the EPA **Federal Register** listservers.

Several Web sites allow access to the full text of **Federal Register** documents.

- The Government Printing Office site has a number of databases online including the Unified Agenda and the **Federal Register** going back to 1994. This site is the official source for the electronic **Federal Register**. It provides public access via telnet, Internet, and dial-up connection and is located at http://www.access.gpo.gov/su_docs/aces/aaces002.html.
- EPA's site (<http://www.epa.gov/fedrgstr/>) has environmental rules issued by EPA and other Federal agencies dating back to October 1994 and lets you search by date, page citation or keyword. It includes links to the

Regulatory Information Service Center and Government Printing Office sites.

- The Regulatory Information Service Center of the General Services Administration maintains a site to help users who want to find information about Federal, State, and local regulations at <http://www.reginfo.gov/>. This site includes all agencies' regulatory agendas and regulatory plans going back to October 1995.

In the "Additional Information" section of many of the entries in this Agenda we include the Internet address for documents that we have already published as part of the rulemaking.

The October 2000 EPA Agenda follows.

Dated: September 15, 2000.

Richard T. Farrell,

Associate Administrator, Office of Policy, Economics, and Innovation.

GENERAL—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
3462	SAN No. 4056 Utilization of Small, Minority and Women's Business Enterprises in Procurement Under Assistance Agreements	2020-AA39
3463	SAN No. 4191 Revision to EPAAR 1552.211-73, Level of Effort	2030-AA64
3464	SAN No. 4226 Incorporating Informal Clauses (EP) Into the EPAAR	2030-AA66
3465	SAN No. 4319 Revisions to Acquisition Regulation Concerning Conflict of Interest	2030-AA67
3466	SAN No. 3876 Incrementally Funding Fixed Price Contracts	2030-AA50
3467	SAN No. 3817 Implementation of Changes to 40 CFR Part 32	2030-AA48
3468	SAN No. 4021 Nondiscrimination on the Basis of Sex in Educational Programs Receiving Federal Assistance	2020-AA36
3469	SAN No. 4292 Proposed Revision to EPA's Implementing NEPA Regulations	2020-AA42
3470	SAN No. 3240 Public Information and Confidentiality Regulations	2025-AA02
3471	SAN No. 4180 Rewriting of EPA Regulations Implementing the Freedom of Information Act	2025-AA04
3472	SAN No. 4270 Cross-Media Electronic Reporting (ER) and Recordkeeping Rule (Reg Plan Seq No. 130)	2025-AA07
3473	SAN No. 4351 Warrants for On-Scene Coordinators	2030-AA68
3474	SAN No. 4397 Contractor Diversity Clause	2030-AA70
3475	SAN No. 4473 Regulatory Incentives for the National Environmental Achievement Track Program (Reg Plan Seq No. 109)	2090-AA13

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

GENERAL—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
3476	SAN No. 3736 Revision to 40 CFR 35 Subpart A and Promulgation of Performance Partnership (State) Grant Regulation (Reg Plan Seq No. 131)	2030-AA55
3477	SAN No. 4128 Revision to 40 CFR 35 Subpart A and Promulgation of Performance Partnership (Tribal) Grant Rule (Reg Plan Seq No. 132)	2030-AA56
3478	SAN No. 4187 EPAAR Coverage on Local Hiring and Training	2030-AA62
3479	SAN No. 3580 Incorporation of Class Deviations Into EPAAR	2030-AA37
3480	SAN No. 3629 EPA Mentor-Protege Program	2030-AA40
3481	SAN No. 3874 Deletion of EPA Acquisition Regulations for Quality Systems for Environmental Programs	2030-AA51

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GENERAL—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
3482	SAN No. 3807 Consolidation of Good Laboratory Practice Standards (GLPS) Regulations Currently Under TSCA and FIFRA Into One Rule	2020-AA26
3483	SAN No. 3933 Environmental Impact Assessment of Nongovernmental Activities in Antarctica	2020-AA34
3484	SAN No. 4185 Electronic Funds Transfer	2030-AA57
3485	SAN No. 4396 Business Ownership Representation	2030-AA69
3486	SAN No. 4400 Administrative Corrections to EPAAR 1515, Contracting By Negotiation	2030-AA73
3487	SAN No. 3671 Guidelines for Carcinogen Risk Assessment	2080-AA06

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

GENERAL—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
3488	SAN No. 4427 Report on PM2.5 Federal Reference Method Field Study	2080-AA09

GENERAL—Completed Actions

Sequence Number	Title	Regulation Identification Number
3489	SAN No. 3240 Public Information and Confidentiality Regulations	2020-AA21
3490	SAN No. 4180 Rewriting of EPA Regulations Implementing the Freedom of Information Act	2020-AA40
3491	SAN No. 4270 Cross-Media Electronic Reporting (ER) and Recordkeeping Rule	2020-AA41
3492	SAN No. 4398 Display of EPA Office of Inspector General Hotline Poster	2030-AA71
3493	SAN No. 4399 Ratification and Debarment/Suspension Procedures, EPAAR 1509.4	2030-AA72
3494	SAN No. 4401 Revision to Award Fee Clauses, 1552.216-70 and 1552.216-75	2030-AA74

CLEAN AIR ACT (CAA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
3495	SAN No. 3259 New Source Review (NSR) Improvement (Reg Plan Seq No. 111)	2060-AE11
3496	SAN No. 3263 Performance Warranty and Inspection/Maintenance Test Procedures	2060-AE20
3497	SAN No. 3262 Inspection/Maintenance Recall Requirements	2060-AE22
3498	SAN No. 3407 Method 301: Field Validation of Pollution Measurement Methods for Various Media; Revisions	2060-AF00
3499	SAN No. 3412 Operating Permits: Revisions (Part 70) (Reg Plan Seq No. 112)	2060-AF70
3500	SAN No. 3649 Amendments to Method 24 (Water-Based Coatings)	2060-AF72
3501	SAN No. 3741 Service Information Availability	2060-AG13
3502	SAN No. 3820 NESHAP: Plywood and Composite Wood Products (Reg Plan Seq No. 113)	2060-AG52
3503	SAN No. 3970 NESHAP: Cellulose Production Manufacturing	2060-AH11
3504	SAN No. 3969 NESHAP: Municipal Solid Waste Landfills	2060-AH13
3505	SAN No. 3917 Transportation Conformity Rule Amendment: Clarification of Trading Provisions	2060-AH31
3506	SAN No. 3910 Streamlined Evaporative Test Procedures	2060-AH34
3507	SAN No. 3975 Review of Minor New Sources and Modifications in Indian Country	2060-AH37
3508	SAN No. 4046 Federal Major New Source Review (NSR) Program for Nonattainment Areas	2060-AH53
3509	SAN No. 4022 NESHAP: Coke Ovens: Pushing, Quenching, and Battery Stacks	2060-AH55
3510	SAN No. 4045 Rulemaking To Modify the List of Source Categories From Which Fugitive Emissions Are Considered in Major Source Determinations	2060-AH58
3511	SAN No. 4120 Protection of Stratospheric Ozone: Allowance System for Controlling HCFC Production, Import & Export	2060-AH67
3512	SAN No. 4111 NESHAP: Fumed Silica Production	2060-AH72
3513	SAN No. 4104 NESHAP: Hydrochloric Acid Production Industry	2060-AH75
3514	SAN No. 4107 NESHAP: Asphalt/Coal Tar Application on Metal Pipes	2060-AH78
3515	SAN No. 4113 NESHAP: Clay Minerals Processing	2060-AH79

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CLEAN AIR ACT (CAA)—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
3516	SAN No. 4114 NESHAP: Polyvinyl Chloride and CoPolymers Production	2060-AH82
3517	SAN No. 4098 NESHAP: Uranium Hexafluoride Production	2060-AH83
3518	SAN No. 4119 Performance Specification 16 - Specifications and Test Procedures for Predictive Emission Monitoring Systems in Stationary Sources	2060-AH84
3519	SAN No. 4003 Technical Change To Dose Methodology for 40 CFR 191, Subpart A	2060-AH90
3520	SAN No. 4333 Decision on a Petition From the Territory of American Samoa To Be Exempted From the Gasoline Anti-Dumping Regulations	2060-AI60
3521	SAN No. 4464 Rulemaking on Section 126 Petitions From New York and Connecticut Regarding Sources in Michigan	2060-AJ36
3522	SAN No. 1002 NAAQS: Sulfur Dioxide (Response to Remand) (Reg Plan Seq No. 110)	2060-AA61
3523	SAN No. 3656 NESHAP: Reciprocating Internal Combustion Engine (Reg Plan Seq No. 114)	2060-AG63
3524	SAN No. 3657 NESHAP: Combustion Turbine (Reg Plan Seq No. 115)	2060-AG67
3525	SAN No. 3343 NESHAP: Iron Foundries and Steel Foundries	2060-AE43
3526	SAN No. 3346 NESHAP: Integrated Iron and Steel	2060-AE48
3527	SAN No. 3326 NESHAP: Reinforced Plastic Composites Production	2060-AE79
3528	SAN No. 3452 National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing and Miscellaneous Coating Manufacturing	2060-AE82
3529	SAN No. 3449 NESHAP: Chlorine Production	2060-AE85
3530	SAN No. 3551 Amendments to General Provisions Subparts A and B for 40 CFR 63	2060-AF31
3531	SAN No. 3746 NESHAP: Paint Stripping Operations	2060-AG26
3532	SAN No. 3749 NESHAP: Tire Manufacturing	2060-AG29
3533	SAN No. 3754 Petroleum Solvent Dry Cleaners Maximum Achievable Control Technology (MACT) Standard	2060-AG34
3534	SAN No. 3823 NESHAP: Large Appliance (Surface Coating)	2060-AG54
3535	SAN No. 3825 NESHAP: Miscellaneous Metal Parts and Products (Surface Coating)	2060-AG56
3536	SAN No. 3655 NESHAP: Asphalt Roofing and Processing	2060-AG66
3537	SAN No. 3652 NESHAP: Refractories Manufacturing	2060-AG68
3538	SAN No. 3837 NESHAP: Industrial, Commercial and Institutional Boilers and Process Heaters (Reg Plan Seq No. 116)	2060-AG69
3539	SAN No. 3651 NESHAP: Lime Manufacturing	2060-AG72
3540	SAN No. 3902 NESHAP: Semiconductor Production	2060-AG93
3541	SAN No. 3906 NESHAP: Metal Can (Surface Coating) Industry	2060-AG96
3542	SAN No. 3909 NESHAP: Fabric Printing, Coating and Dyeing	2060-AG98
3543	SAN No. 3907 NESHAP: Automobile and Light-Duty Truck Manufacturing (Surface Coating)	2060-AG99
3544	SAN No. 3924 NESHAP: Primary Magnesium Refining	2060-AH03
3545	SAN No. 2841 NESHAP: Chromium Electroplating Amendment	2060-AH08
3546	SAN No. 3968 NESHAP: Site Remediation	2060-AH12
3547	SAN No. 3964 NESHAP: Leather Finishing Operations	2060-AH17
3548	SAN No. 3972 NESHAP: Rocket Engine Test Firing	2060-AH35
3549	SAN No. 3971 NESHAP: Organic Liquids Distribution (Non-Gasoline)	2060-AH41
3550	SAN No. 3479 Amendments to Parts 51, 52, 63, 70 and 71 Regarding the Provisions for Determining Potential To Emit	2060-AI01
3551	SAN No. 4455 NESHAP: Amino/Phenolic Resins Amendment	2060-AJ32
3552	SAN No. 3824 Metal Furniture (Surface Coating) NESHAP	2060-AG55
3553	SAN No. 3826 Plastic Parts (Surface Coating) NESHAP	2060-AG57
3554	SAN No. 3904 NESHAP: Wood Building Products (Surface Coating)	2060-AH02
3555	SAN No. 3139 Location of Selective Enforcement Audits of Foreign Manufactured Vehicles and Engines; Amendment	2060-AD90
3556	SAN No. 3979 Review of Federal Test Procedures for Emissions From Motor Vehicles; Test Procedure Adjustments to Fuel Economy and Emission Test Results	2060-AH38
3557	SAN No. 3673 Protection of Stratospheric Ozone: Reconsideration of Section 608 Sales Restriction	2060-AG20
3558	SAN No. 3827 Paper and Other Web Coating NESHAP	2060-AG58
3559	SAN No. 4385 Amendments to Vehicle Inspection Maintenance Program Requirements Implementing the On-board Diagnostic Check; Proposed Amendment to the Final Rule	2060-AJ03
3560	SAN No. 4105 NESHAP: Generic MACT for Carbon Black, Ethylene, Cynaid and Spandex	2060-AH68
3561	SAN No. 4115 NESHAP: Chromium Electroplating Amendment	2060-AH69
3562	SAN No. 4110 NESHAP: Alumina Processing	2060-AH70
3563	SAN No. 4154 Control of Emissions From Nonroad Spark-Ignition Engines Rated Over 19 kW and New Land-Based Recreational Spark-Ignition Engines	2060-AI11

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Sequence Number	Title	Regulation Identification Number
3564	SAN No. 4251 Control of Emissions of Air Pollution From New Compression-Ignition and Spark-Ignition Recreational Marine Engines	2060-AI36
3565	SAN No. 4253 Protection of Stratospheric Ozone: Process for Exempting Quarantine and Preshipment Methyl Bromide and Trade Ban With Non-Parties to the Montreal Protocol	2060-AI42
3566	SAN No. 4266 Review National Ambient Air Quality Standards for Carbon Monoxide	2060-AI43
3567	SAN No. 4255 Review of the National Ambient Air Quality Standards for Particulate Matter (Reg Plan Seq No. 117)	2060-AI44
3568	SAN No. 4340 Transportation Conformity Amendments: Response to March 2, 1999, Court Decision (Reg Plan Seq No. 118)	2060-AI56
3569	SAN No. 4309 National VOC Emission Standards for Consumer Products; Proposed Amendments	2060-AI62
3570	SAN No. 4316 NESHAP for Ethylene Oxide Commercial Sterilization Operations-Monitoring Amendments	2060-AI64
3571	SAN No. 4310 NESHAP for the Printing and Publishing Industry; Amendments	2060-AI66
3572	SAN No. 4325 NESHAP: Brick, Structural Clay Products, and Clay Ceramics Manufacturing	2060-AI67
3573	SAN No. 4343 NESHAP: Clay Ceramics Manufacturing	2060-AI68
3574	SAN No. 4313 Petitions To Delist Hazardous Air Pollutants (e.g., MEK, EGBE, Methanol, and MIBK) From Section 112(b)(1) of the Clean Air Act	2060-AI72
3575	SAN No. 4144 NESHAP: Engine Test Facilities	2060-AI74
3576	SAN No. 4346 NESHAP: Lightweight Aggregate Manufacturing	2060-AI75
3577	SAN No. 4304 National Ambient Air Quality Standard for Ozone - Corrections Notice	2060-AI95
3578	SAN No. 4306 Development of Reference Method for the Determination of Source Emissions of Filterable Fine Particulate Matter as PM _{2.5}	2060-AI96
3579	SAN No. 4348 Inspection Maintenance Program Requirements for Federal Facilities; Amendment to the Final Rule	2060-AI97
3580	SAN No. 4393 Control of Methyl Tertiary Butyl Ether (MTBE)	2060-AJ00
3581	SAN No. 4380 NESHAP: Taconite Iron Ore Processing Industry	2060-AJ02
3582	SAN No. 4417 Removal of Aluminum Die Casting and Aluminum Foundries From the Secondary Aluminum NESHAP and Applicability Stay for These Industries	2060-AJ11
3583	SAN No. 4390 New Source Review (NSR) Improvement: Utility Sector Offramp Program	2060-AJ14
3584	SAN No. 4433 Rulemaking for Purposes of Reducing Interstate Ozone Transport: Response to March 3, 2000 Decision of the United States Court of Appeals for the District of Columbia Circuit	2060-AJ16
3585	SAN No. 4460 NESHAP for Friction Products Manufacturing Industry	2060-AJ18
3586	SAN No. 4449 NESHAP for Flexible Polyurethane Foam Fabrication Operations	2060-AJ19
3587	SAN No. 4466 Rulemakings for the Purpose of Reducing Interstate Ozone Transport (Reg Plan Seq No. 119)	2060-AJ20
3588	SAN No. 4415 Petitions to Delist Source Categories From the Source Category List, Developed Pursuant to Section 112(c) of the Clean Air Act	2060-AJ23
3589	SAN No. 4416 Revision to the Source Category Listing for Section 112(d)(2) Rulemaking Pursuant to Section 112(c)(6) Requirements.	2060-AJ24
3590	SAN No. 4421 Revising Regulations on Ambient Air Quality Monitoring	2060-AJ25
3591	SAN No. 4426 Clarification to Existing Part 63 NESHAP Delegations' Provisions	2060-AJ26
3592	SAN No. 4428 Protection of Stratospheric Ozone: Phaseout of Chlorobromomethane (Halon 1011) Production and Consumption	2060-AJ27
3593	SAN No. 4441 Federal Plan for Commercial and Industrial Solid Waste Incineration Units	2060-AJ28
3594	SAN No. 4448 Revisions to Part 97 Federal NO _x Budget Trading Program Allowance Allocation Method and Part 75 Output and Emissions Monitoring Provisions	2060-AJ30
3595	SAN No. 4450 Guidelines for Best Available Retrofit Technology (BART)	2060-AJ31
3596	SAN No. 4456 Stratospheric Ozone Protection: Allocation of Essential Use Allowances for Calendar Year 2001 ...	2060-AJ33
3597	SAN No. 4457 NESHAP: Pesticides Active Ingredients—Amendments	2060-AJ34
3598	SAN No. 4468 National Air Toxics Program: Integrated Strategy, Report to Congress	2060-AJ38
3599	SAN No. 4471 Project XL Site-Specific Rulemaking for Georgia-Pacific Corporation's Facility in Big Island, Virginia	2060-AJ39
3600	SAN No. 4336 Amendments to NESHAP: Off-Site Waste and Recovery Operations	2060-AJ40

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

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CLEAN AIR ACT (CAA)—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
3601	SAN No. 3569 Source Specific Federal Implementation Plan for Navajo Generating Station; Four Corners Power Plant	2009-AA01
3602	SAN No. 3380 NSPS: Synthetic Organic Chemicals Manufacturing Industry - Wastewater (FINAL) and Amend. to Appendix C of Part 63 and Appendix J of Part 60	2060-AE94
3603	SAN No. 3549 NESHAP: Petroleum Refineries; Catalytic Cracking Units, Catalytic Reforming Units and Sulfur Recovery Units	2060-AF28
3604	SAN No. 3553 Implementation of Ozone and Particulate Matter (PM) National Ambient Air Quality Standards (NAAQS) and Regional Haze Regulations (Reg Plan Seq No. 133)	2060-AF34
3605	SAN No. 2915 Methods for Measurement of Visible Emissions—Addition of Methods 203A, 203B, and 203C to Appendix M of Part 51	2060-AF83
3606	SAN No. 3568 Environmental Radiation Protection Standards for Yucca Mountain, Nevada (Reg Plan Seq No. 134)	2060-AG14
3607	SAN No. 3743 Amendments for Testing and Monitoring Provisions to Part 60, Part 61, and Part 63	2060-AG21
3608	SAN No. 3748 Consolidated Federal Air Rule for the Synthetic Organic Chemical Manufacturing Industry (Reg Plan Seq No. 135)	2060-AG28
3609	SAN No. 3900 Addition of Method 207 to Appendix M of 40 CFR Part 51 Method for Measuring Isocyanates in Stationary Source Emissions	2060-AG88
3610	SAN No. 3958 Addition of Opacity Method to Appendix M of 40 CFR Part 51 (Method 203)	2060-AH23
3611	SAN No. 3986 Consolidated Emissions Reporting Rule	2060-AH25
3612	SAN No. 4030 Expanded Definitions for Alternative-Fueled Vehicles and Engines Meeting Low-Emission Vehicle Exhaust Emission Standards	2060-AH52
3613	SAN No. 4123 NESHAP: Pulp and Paper Production; Amendments to the Promulgated Rule	2060-AH74
3614	SAN No. 4103 NESHAP: Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Industry (SOCMI) & Other Processes Subject to the Negotiated Regulation for Equipment Leaks	2060-AH81
3615	SAN No. 4096 Phase I Federal Implementation Plans (FIPs) To Reduce the Regional Transport of Ozone in the Eastern United States	2060-AH87
3616	SAN No. 4082 NESHAP: Wet-Formed Fiberglass Mat Production	2060-AH89
3617	SAN No. 4077 Protection of Stratospheric Ozone: Reconsideration on the 610 Nonessential Products Ban	2060-AH99
3618	SAN No. 4254 Revision to the Definition of Volatile Organic Compound (VOC) to Exclude Tertiary Butyl Acetate ..	2060-AI45
3619	SAN No. 3470 Requirements for Preparation, Adoption, and Submittal of State Implementation Plans (Guideline on Air Quality Models)	2060-AF01
3620	SAN No. 3304 NESHAP: Phosphate Fertilizers Production	2060-AE44
3621	SAN No. 3340 NESHAP: Primary Copper Smelting	2060-AE46
3622	SAN No. 3550 NESHAP: Manufacturing of Nutritional Yeast	2060-AF30
3623	SAN No. 3747 NESHAP: Boat Manufacturing	2060-AG27
3624	SAN No. 3829 Revisions to the Regulation for Approval of State Programs and Delegation of Federal Authorities 112(l)	2060-AG60
3625	SAN No. 3905 NESHAP: Metal Coil (Surface Coating) Industry	2060-AG97
3626	SAN No. 3903 NESHAP: Solvent Extraction for Vegetable Oil Production	2060-AH22
3627	SAN No. 3939 NESHAP: Group I Polymers and Resins and Group IV Polymers and Resins-Amendments	2060-AH47
3628	SAN No. 3613 New Source Performance Standards and Emission Guidelines for Commercial and Industrial Solid Waste Incineration Units	2060-AF91
3629	SAN No. 2665 Importation of Nonconforming Vehicles; Amendments to Regulations	2060-AI03
3630	SAN No. 3556 Protection of Stratospheric Ozone: Supplemental Rule Regarding a Recycling Standard Under Section 608	2060-AF36
3631	SAN No. 3560 Protection of Stratospheric Ozone: Refrigerant Recycling Rule Amendment To Include Substitute Refrigerants	2060-AF37
3632	SAN No. 4271 Protection of Stratospheric Ozone: Incorporation of Clean Air Act Amendments for Reductions in Class I, Group VI Controlled Substances	2060-AI41
3633	SAN No. 4315 Source Specific Federal Implementation Plan for Navajo Generating Station; Navajo Nation	2009-AA00
3634	SAN No. 4240 NESHAP: Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite and Stand-Alone Semichemical Pulp Mills	2060-AI34
3635	SAN No. 4243 Standards and Guidelines for Small Municipal Waste Combustion Units	2060-AI51
3636	SAN No. 4284 Revision of Schedule for Standards Under Section 112 of the Clean Air Act	2060-AI52
3637	SAN No. 4285 Control of Emissions of Hazardous Pollutants From Motor Vehicles and Motor Vehicle Fuels	2060-AI55
3638	SAN No. 4286 National Emission Standards for Benzene Emissions From Coke Byproduct Recovery Plants (Part 61, Subpart L)	2060-AI65
3639	SAN No. 4355 Heavy-Duty Engine Emission Standards and Diesel Fuel Sulfur Control Requirements (Reg Plan Seq No. 136)	2060-AI69

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CLEAN AIR ACT (CAA)—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
3640	SAN No. 4353 Amendments to the Aerospace Manufacturing and Rework Facilities NESHAP for the HAP and VOC Content Limits for Primer Operations and Stay of Compliance	2060-AI77
3641	SAN No. 4354 NESHAP: Pharmaceuticals Production; Proposed Amendments	2060-AI78
3642	SAN No. 4273 Amend Subpart Hand I, 40 CFR Part 61, for Emissions of Radionuclides Other Than Radon From DOE Facilities	2060-AI90
3643	SAN No. 4299 Revision to Method 24 for Electrical Insulating Varnishes	2060-AI94
3644	SAN No. 4358 Regulation of Fuels and Fuel Additives: Reformulated Gasoline Adjustment	2060-AI98
3645	SAN No. 4387 Amendments to State and Federal Operating Permits Programs, Part 70 and Part 71, Compliance Certification Requirements	2060-AJ04
3646	SAN No. 4410 Protection of Stratospheric Ozone Allocation of Essential-Use Allowances for Calendar Year 2000: Laboratory Essential Use Exemptions	2060-AJ15
3647	SAN No. 4458 Amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Pharmaceuticals Production	2060-AJ17
3648	SAN No. 4414 Revision of Standards of Performance for Nitrogen Oxide Emissions From New Fossil-Fuel Fired Steam Generating Units	2060-AJ22
3649	SAN No. 4442 NESHAP for Source Categories: Phosphoric Acid Manufacturing and Phosphate Fertilizers Production — Amendments	2060-AJ29
3650	SAN No. 4465 Stay of the 8-Hour Portion of Findings of Significant Contribution and Rulemaking for Purposes of Reducing Interstate Ozone Transport	2060-AJ37
3651	SAN No. 4478 Standards of Performance for New Stationary Sources: Municipal Solid Waste Landfills: Amendment	2060-AJ41
3652	SAN No. 4479 NESHAP: Gasoline Distribution Facilities — Amendment	2060-AJ42

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

CLEAN AIR ACT (CAA)—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
3653	SAN No. 3922 Revised Permit Revision Procedures for the Federal Operating Permits Program	2060-AG92
3654	SAN No. 4070 General Conformity Regulations; Revisions	2060-AH93
3655	SAN No. 4247 Revisions to Air Pollution Emergency Episode Requirements (Subpart H, 40 CFR Part 51)	2060-AI47
3656	SAN No. 3638 Revision of EPA's Radiological Emergency Response Plan	2060-AI49
3657	SAN No. 3899 NESHAP: Friction Products Manufacturing	2060-AG87
3658	SAN No. 3962 NESHAP: Manufacture of Carbon Black	2060-AH19
3659	SAN No. 3973 NESHAP: Flexible Polyurethane Foam Fabrication Operations	2060-AH42
3660	SAN No. 4162 NESHAP: Oil and Natural Gas Production	2060-AI13
3661	SAN No. 4218 NESHAP: Process Heaters	2060-AI35
3662	SAN No. 2937 Field Citation Program	2020-AA32
3663	SAN No. 3751 NSPS: New Source Performance Standards and Emission Guidelines for Other Solid Waste Incinerators	2060-AG31
3664	SAN No. 3919 Prevention of Significant Deterioration of Air Quality: Permit Application Review Procedures for Non-Federal Class I Areas	2060-AH01
3665	SAN No. 4245 Consumer and Commercial Products: Flexible Package Printing Materials: Determination on Control Techniques Guidelines in Lieu of Regulation	2060-AI31
3666	SAN No. 3525 Protection of Stratospheric Ozone: Update of the Substitutes List Under the Significant New Alternatives Policy (SNAP) Program	2060-AG12
3667	SAN No. 4274 Identification of Additional Ozone Areas Attaining the 1-Hour Standard and to Which the 1-Hour Standard Is No Longer Applicable (7 Areas)	2060-AI57
3668	SAN No. 4276 Revision to NOx SIP Call Emission Budgets for Connecticut, Massachusetts and Rhode Island	2060-AI80
3669	SAN No. 4383 Interstate Ozone Transport: Rulemaking on Section 126 Petitions From the District of Columbia, Delaware, Maryland, and New Jersey	2060-AI99
3670	SAN No. 4391 Rescinding the Finding That the Pre-Existing PM10 Standards Are No Longer Applicable in Northern Ada County/Boise, Idaho	2060-AJ05
3671	SAN No. 4413 NESHAP: Aluminum Die Casting and Aluminum Foundries	2060-AJ09

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CLEAN AIR ACT (CAA)—Completed Actions

Sequence Number	Title	Regulation Identification Number
3672	SAN No. 3637 Federal Implementation Plan (FIP) To Control Emissions From Sources Located on the Fort Hall Indian Reservation	2012-AA00
3673	SAN No. 3569 Source Specific Federal Implementation Plan for Navajo Generating Station; Four Corners Power Plant	2060-AF42
3674	SAN No. 3637 Federal Implementation Plan (FIP) To Control Emissions From Sources Located on the Fort Hall Indian Reservation	2060-AF84
3675	SAN No. 3744 Amendment to Standards of Performance for New Stationary Sources; Monitoring Requirements (PS-1)	2060-AG22
3676	SAN No. 3819 NSPS: Sewage Sludge Incinerators	2060-AG50
3677	SAN No. 4102 NESHAP: Taconite Iron Ore Processing	2060-AH73
3678	SAN No. 4116 NESHAP: Ammonium Sulphate Production (Caprolactam Byproduct)	2060-AH77
3679	SAN No. 4112 NESHAP: Hydrogen Chloride Production	2060-AH80
3680	SAN No. 4165 Optional Certification Streamlining Procedures for LDVs, LDTs, and HDEs	2060-AI15
3681	SAN No. 4295 Additional Flexibility Amendments to Inspection Maintenance Program Requirements; Amendments to the Final Rule	2060-AI61
3682	SAN No. 4453 NESHAP: Off-Site Waste Recovery Operations; Additional Technical Amendments	2060-AJ21
3683	SAN No. 3078 NESHAP: Secondary Aluminum Industry	2060-AE77
3684	SAN No. 3908 Offset Lithographic Printing National VOC Rule	2060-AH00
3685	SAN No. 4352 Transportation Conformity Amendment: Deletion of Grace Period	2060-AI76
3686	SAN No. 3361 Nonroad Spark-Ignition Engines At or Below 19 Kilowatts (25 Horsepower) (Phase 2)	2060-AE29
3687	SAN No. 4159 Redefinition of Glycol Ethers Listed as HAPs Under the Clean Air Act, and Hazardous Substances Under CERCLA	2060-AI08
3688	SAN No. 4043 Control of Emissions of Air Pollution From 2004 and Later Model Year Heavy-Duty Highway Engines and Vehicles; Revision of Light-Duty Truck Definition	2060-AI12
3689	SAN No. 4219 Hospital/Medical/Infectious Waste Incinerators—Federal Plan (Federal Plan for existing Hospital/Medical/Infectious Waste Incinerators)	2060-AI25
3690	SAN No. 4222 NESHAP: Ethylene Oxide Commercial Sterilization and Fumigation Operations	2060-AI37
3691	SAN No. 4252 Protection of Stratospheric Ozone: Manufacture of Halon Blends, Intentional Release of Halon, Technical Training and Disposal of Halon and Halon-Containing Equipment - Amendment	2060-AI40
3692	SAN No. 3626 Protection of Stratospheric Ozone: Amendment to Transshipment Provision in Final Rule Accelerating the Phaseout of Ozone-Depleting Substances	2060-AI46
3693	SAN No. 4282 Technical Amendment to the Finding of Significant Contribution and Rulemaking for Certain States for Purposes of Reducing Regional Transport of Ozone (The NOx SIP Call Rule)	2060-AI71
3694	SAN No. 4318 Protection of Stratospheric Ozone Allocation of Essential-Use Allowances for CY 2000: Allocations for Metered-Dose Inhalers & the Space Shuttle & Titan Rockets	2060-AI73
3695	SAN No. 4315 Source Specific Federal Implementation Plan for Navajo Generating Station; Navajo Nation	2060-AI79
3696	SAN No. 4275 Amendment to National Emission Standards for Hazardous Air Pollutants: Halogenated Solvent Cleaning	2060-AI91
3697	SAN No. 4339 Amendments to the NESHAP: Halogenated Solvent Cleaning	2060-AJ01
3698	SAN No. 4402 NESHAP: Oil and Natural Gas Production and Natural Gas Transmission and Storage; Amendments	2060-AJ08
3699	SAN No. 4384 Direct Final Amendments to the Polyether Polyols NESHAP	2060-AJ10
3700	SAN No. 4388 Extending Operating Permits Program Interim Approval Expiration Dates	2060-AJ12
3701	SAN No. 4379 Electric Arc Furnace NSPS Amendment	2060-AJ13

ATOMIC ENERGY ACT (AEA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
3702	SAN No. 3602 Protective Action Guidance for Drinking Water	2060-AF39
3703	SAN No. 4054 Environmental Radiation Protection Standards for the Disposal of Low-Activity Mixed Radioactive Waste	2060-AH63
3704	SAN No. 4403 Revision of the 40 CFR Part 194 Waste Isolation Pilot Plant Compliance Criteria	2060-AJ07

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FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
3705	SAN No. 2687 Data Requirements for Pesticide Registration (Revision)	2070-AC12
3706	SAN No. 4143 Endocrine Disruptor Screening Program (Reg Plan Seq No. 121)	2070-AD26
3707	SAN No. 4170 Pesticides; Procedures for Registration Review Program	2070-AD29
3708	SAN No. 4173 Data Requirements for Antimicrobial Registrations; Product Chemistry Requirements	2070-AD30
3709	SAN No. 4347 Registration of Granular Fertilizer-Pesticide Combination Products	2070-AD40

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA)—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
3710	SAN No. 3890 Tolerances for Pesticide Emergency Exemptions	2070-AD15
3711	SAN No. 4027 Pesticides; Tolerance Processing Fees	2070-AD23
3712	SAN No. 2684 Plant-Incorporated Protectants; FIFRA Rule and FFDCA Tolerance Actions (Reg Plan Seq No. 137)	2070-AC02
3713	SAN No. 3432 Pesticide Management and Disposal	2020-AA33
3714	SAN No. 3222 Groundwater and Pesticide Management Plan (Reg Plan Seq No. 138)	2070-AC46
3715	SAN No. 3731 WPS; Pesticide Worker Protection Standard; Glove Amendment	2070-AC93
3716	SAN No. 3892 Registration Requirements for Antimicrobial Pesticide Products; and Other Pesticide Regulatory Changes	2070-AD14

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA)—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
3717	SAN No. 4175 Pesticide Tolerance Reassessment Program	2070-AD24
3718	SAN No. 2720 Policy or Procedures for Notification to the Agency of Stored Pesticides With Cancelled or Suspended Registration	2020-AA29
3719	SAN No. 2659 Pesticide Management and Disposal: Standards for Pesticide Containers and Containment	2070-AB95
3720	SAN No. 4216 Regulatory Review of Pesticide Emergency Exemption Regulations	2070-AD36

TOXIC SUBSTANCES CONTROL ACT (TSCA)—Prerule Stage

Sequence Number	Title	Regulation Identification Number
3721	SAN No. 4176 Chemical Right-to-Know Initiative - High Production Volume (HPV) Chemicals (Reg Plan Seq No. 108)	2070-AD25

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TOXIC SUBSTANCES CONTROL ACT (TSCA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
3722	SAN No. 2563 Test Rule; ATSDR Substances	2070-AB79
3723	SAN No. 2865 Voluntary Children's Chemical Evaluation Testing Program	2070-AC27
3724	SAN No. 3990 Multi-Chemical Test Rule; High Production Volume Chemicals	2070-AD16
3725	SAN No. 4174 TSCA Section 4 Enforceable Consent Agreement for Certain Oxygenated Fuel Additives	2070-AD28
3726	SAN No. 1923 Follow-Up Rules on Existing Chemicals	2070-AA58
3727	SAN No. 4475 Certain Perfluoroalkyl Sulfonyl (Pfos) Containing Chemical Substances; Significant New Use Rule	2070-AD43

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TOXIC SUBSTANCES CONTROL ACT (TSCA)—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
3728	SAN No. 3557 Lead-Based Paint Activities; Training and Certification for Renovation and Remodeling Section 402(c)(3) (Reg Plan Seq No. 120)	2070-AC83
3729	SAN No. 4172 Lead; Notification Requirements for Lead-Based Paint Abatement Activities and Training	2070-AD31

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TOXIC SUBSTANCES CONTROL ACT (TSCA)—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
3730	SAN No. 3301 TSCA Inventory Update Rule Amendments (Reg Plan Seq No. 139)	2070-AC61
3731	SAN No. 3243 Lead; Identification of Dangerous Levels of Lead Pursuant to TSCA Section 403 (Reg Plan Seq No. 140)	2070-AC63
3732	SAN No. 3508 Lead; Management and Disposal of Lead-Based Paint Debris Section 402(a)	2070-AC72
3733	SAN No. 3493 Test Rules; Generic Entry for Final Decisions	2070-AB94
3734	SAN No. 3487 Test Rule; Hazardous Air Pollutants (HAPs)	2070-AC76
3735	SAN No. 4425 Test Rule; OSHA Chemicals Dermal Testing	2070-AD42
3736	SAN No. 1976 Follow-Up Rules on Non-5(e) New Chemical Substances	2070-AA59
3737	SAN No. 3495 Chemical-Specific Significant New Use Rules (SNURs) To Extend Provisions of Section 5(e) Orders	2070-AB27
3738	SAN No. 2779 Acrylamide; Prohibition on Manufacture, Importation, Distribution and Use of Acrylamide for Grouting	2070-AC17
3739	SAN No. 3021 Reclassification of PCB and PCB Contaminated Electrical Equipment Final Rule	2070-AC39
3740	SAN No. 2249 Asbestos Worker Protection Rule Amendments	2070-AC66
3741	SAN No. 2178 TSCA Section 8(a) Preliminary Assessment Information Rules	2070-AB08
3742	SAN No. 1139 TSCA Section 8(d) Health and Safety Data Reporting Rules	2070-AB11
3743	SAN No. 3559 Notice of TSCA Section 4 Reimbursement Period and TSCA Section 12(b) Export Notification Period Sunset Dates for TSCA Section 4 Substances	2070-AC84
3744	SAN No. 3118 TSCA Section 8(e) Policy; Notice of Clarification	2070-AC80

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

TOXIC SUBSTANCES CONTROL ACT (TSCA)—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
3745	SAN No. 4376 Lead-Based Paint Activities Rules; Training, Accreditation, and Certification Rule and Model State Plan Rule—Building and Structures Section 402(a)	2070-AC64
3746	SAN No. 3882 Test Rule for Certain Metals	2070-AD10
3747	SAN No. 2150 PCBs; Polychlorinated Biphenyls; Exemptions From the Prohibitions Against Manufacturing, Processing, and Distribution in Commerce	2070-AB20
3748	SAN No. 3252 Lead; Regulatory Investigation Under the Toxic Substances Control Act (TSCA) To Reduce Lead (Pb) Consumption and Use	2070-AC21
3749	SAN No. 3528 Refractory Ceramic Fibers; Significant New Use Rules on National Program Chemicals	2070-AC37
3750	SAN No. 3148 Asbestos Model Accreditation Plan Revisions	2070-AC51
3751	SAN No. 4179 PCBs; Polychlorinated Biphenyl; Use Authorizations	2070-AD27

TOXIC SUBSTANCES CONTROL ACT (TSCA)—Completed Actions

Sequence Number	Title	Regulation Identification Number
3752	SAN No. 3494 Test Rules; Generic Entry for Proposed Decisions	2070-AB07
3753	SAN No. 2245 Test Rules; Negotiated Consent Order and Test Rule Procedures	2070-AB30
3754	SAN No. 3894 TSCA Biotechnology Follow-Up Rules	2070-AD13

EPA

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT (EPCRA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
3755	SAN No. 4265 TRI; Revisions to the Otherwise Use Activity Exemptions and the Coal Extraction Activities Exemption	2025-AA06

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT (EPCRA)—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
3756	SAN No. 2425 TRI; Responses to Petitions Received To Add or Delete or Modify Chemical Listings on the Toxic Release Inventory	2025-AA00
3757	SAN No. 4259 TRI; Lowering of EPCRA Section 313 Reporting Thresholds for Lead and Lead Compounds (Reg Plan Seq No. 146)	2025-AA05
3758	SAN No. 3215 Emergency Planning and Community Right-to-Know Act: Amendments and Streamlining Rule	2050-AE17

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT (EPCRA)—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
3759	SAN No. 3007 TRI; Chemical Expansion; Finalization of Deferred Chemicals	2025-AA01
3760	SAN No. 4015 TRI; Review of Chemicals on the Original TRI List	2025-AA03
3761	SAN No. 2847 TRI; Pollution Prevention Act Information Requirements	2025-AA09
3762	SAN No. 4392 TRI: APA Petition-EPCRA 313 Definition of "Overburden" as It Relates to the Mining Industry	2025-AA08
3763	SAN No. 3994 Response to a Petition Requesting Deletion of Phosmet From the Extremely Hazardous Substances (EHSs) List	2050-AE42
3764	SAN No. 3993 Modification of Threshold Planning Quantity for Isophorone Diisocyanate	2050-AE43

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT (EPCRA)—Completed Actions

Sequence Number	Title	Regulation Identification Number
3765	SAN No. 3007 TRI; Chemical Expansion; Finalization of Deferred Chemicals	2070-AC47
3766	SAN No. 3877 TRI; Data Expansion Amendments; Toxic Chemical Release Reporting; Community Right-to-Know	2070-AD08
3767	SAN No. 4015 TRI; Review of Chemicals on the Original TRI List	2070-AD18
3768	SAN No. 4023 TRI; Addition of Oil and Gas Exploration and Production to the Toxic Release Inventory	2070-AD19
3769	SAN No. 2425 TRI; Responses to Petitions Received To Add or Delete or Modify Chemical Listings on the Toxic Release Inventory	2070-AC00
3770	SAN No. 2847 TRI; Pollution Prevention Act Information Requirements	2070-AC24
3771	SAN No. 4259 TRI; Lowering of EPCRA Section 313 Reporting Thresholds for Lead and Lead Compounds	2070-AD38
3772	SAN No. 4265 TRI; Revisions to the Otherwise Use Activity Exemptions and the Coal Extraction Activities Exemption	2070-AD39
3773	SAN No. 4392 TRI: APA Petition-EPCRA 313 Definition of "Overburden" As It Relates to the Mining Industry	2070-AD41

CHEMICAL SAFETY INFORMATION, SITE SECURITY AND FUELS REGULATORY RELIEF ACT—Completed Actions

Sequence Number	Title	Regulation Identification Number
3774	SAN No. 4302 Amendments to the List of Regulated Substances and Thresholds for Accidental Release Prevention; Flammable Substances Used as Fuel or Held for Sale as Fuel at Retail Facilities	2050-AE74

EPA

CHEMICAL SAFETY INFORMATION, SITE SECURITY AND FUELS REGULATORY RELIEF ACT—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
3775	SAN No. 4345 Accidental Release Prevention Requirements; Risk Management Programs Under the Clean Air Act Section 112(r)(7); Distribution of Off-Site Consequences Analysis Information	2050-AE80

RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
3776	SAN No. 3805 Paint Manufacturing Wastes Listing: Hazardous Waste Management System: Identification and Listing of Hazardous Waste	2050-AE32
3777	SAN No. 3989 Removal of Requirement To Use SW-846 Methods (Test Methods for Evaluating Solid Waste: Physical/Chemical Methods)	2050-AE41
3778	SAN No. 4028 Standardized Permit for RCRA Hazardous Waste Management Facilities (Reg Plan Seq No. 123)	2050-AE44
3779	SAN No. 4083 Listing of Hazardous Waste; Inorganic Chemical Wastes; Land Disposal Restrictions for Newly Listed Wastes; CERCLA Hazardous Substances Reportable Quantities	2050-AE49
3780	SAN No. 4084 Office of Solid Waste Burden Reduction Project	2050-AE50
3781	SAN No. 4090 RCRA Appendix VIII Streamlining	2050-AE55
3782	SAN No. 3545 Revisions to the Comprehensive Guideline for Procurement of Products Containing Recovered Materials	2050-AE23
3783	SAN No. 3147 Hazardous Waste Manifest Regulation (Reg Plan Seq No. 122)	2050-AE21
3784	SAN No. 4091 Modifications to RCRA Rules Associated With Solvent-Contaminated Shop Towels and Wipes	2050-AE51
3785	SAN No. 4092 Glass-to-Glass Recycling of Cathode Ray Tubes (CRTs): Changes to Hazardous Waste Regulations	2050-AE52
3786	SAN No. 4093 Reinventing the Land Disposal Restrictions Program	2050-AE53
3787	SAN No. 4208 Proposed Regulatory Amendments on Recycling of Hazardous Wastes in Fertilizers	2050-AE69
3788	SAN No. 4411 Regulation of Gasification Devices Processing Hazardous Waste at Petroleum Refineries	2050-AE78
3789	SAN No. 4418 NESHAPS: Standards for Hazardous Air Pollutants for Hazardous Waste Combustors-Phase I Clarification and Proposed Changes	2050-AE79
3790	SAN No. 4470 Standards for the Management of Coal Combustion Wastes Generated by Electric Power Producers (Reg Plan Seq No. 124)	2050-AE81
3791	SAN No. 4439 Project XL — Ortho-McNeil Pilot Project Allowing On-Site Treatment of Low-Level Mixed Wastes Without a RCRA Permit	2090-AA14

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
3792	SAN No. 4017 Storage, Treatment, Transportation, and Disposal of Mixed Waste (Reg Plan Seq No. 142)	2050-AE45
3793	SAN No. 4088 Recycled Used Oil Containing PCBs	2050-AE47
3794	SAN No. 3151 Listing Determination for Wastewaters and Wastewater Treatment Sludges From Chlorinated Aliphatics Productions; Land Disposal Restrictions for Newly Identified Waste	2050-AD85
3795	SAN No. 3328 Hazardous Waste Identification Rule (HWIR): Identification and Listing of Hazardous Wastes (Reg Plan Seq No. 141)	2050-AE07
3796	SAN No. 4233 Land Disposal Restrictions; Treatment Standards for Spent Potliners From Primary Aluminum Reduction (K088) and Regulatory Classification of K088 Vitrification Units	2050-AE65
3797	SAN No. 4263 Temporary Suspension of Toxicity Characteristic Rule for Specific Lead-Based Paint Debris	2050-AE68
3798	SAN No. 4360 Alternative Land Disposal Restrictions Treatment Standards for Contaminated Soils, Deferral of PCB's as an Underlying Hazardous Constituent in Soil	2050-AE76
3799	SAN No. 4438 Project XL — IBM VT Pilot Project Providing a Site-Specific Exemption of a Metallization Process From the F006 Listing Description	2090-AA11

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

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RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
3800	SAN No. 3428 Hazardous Waste Management System: Slag Residues Derived From High-Temperature Metals Recovery (HTMR) Treatment of KO61, KO62 and F0006 Wastes	2050-AE15
3801	SAN No. 3668 Hazardous Waste Identification; Recycled Used Oil Management Standards	2050-AE28
3802	SAN No. 3856 Management of Cement Kiln Dust (CKD)	2050-AE34
3803	SAN No. 3888 Mercury-Containing and Rechargeable Battery Management Act; Codification of Waste Management Provisions	2050-AE39
3804	SAN No. 3189 Final Determination of the Applicability of the Toxicity Characteristic Rule to Petroleum Contaminated Media and Debris From Underground Storage Tanks	2050-AD69
3805	SAN No. 3066 Listing Determination of Wastes Generated During the Manufacture of Azo, Anthraquinone, and Triarylmethane Dyes and Pigments	2050-AD80
3806	SAN No. 2390 Corrective Action for Solid Waste Management Units (SWMUs) at Hazardous Waste Management Facilities	2050-AB80
3807	SAN No. 2647 RCRA Subtitle C Financial Test Criteria (Revision)	2050-AC71
3808	SAN No. 3333 NESHAPS: Standards for Hazardous Air Pollutants for Hazardous Waste Combustors-Phase II Covering Boilers and Certain Industrial Furnaces	2050-AE01
3809	SAN No. 4094 Land Disposal Restrictions; Potential Revisions for Mercury Listed and Characteristic Wastes	2050-AE54
3810	SAN No. 4230 Revisions to Solid Waste Landfill Criteria—Leachate Recirculation	2050-AE67
3811	SAN No. 4419 Amendments to the Corrective Action Management Unit Rule	2050-AE77
3812	SAN No. 4430 RCRA Controls for Wastewater Treatment Units	2050-AE82
3813	SAN No. 4469 Standards for the Management of Coal Combustion Wastes - Non-Power Producers and Minefilling	2050-AE83
3814	SAN No. 4437 Project XL Site-Specific Rulemaking for the US Filter Recovery Services, Roseville, Minnesota and Approved Generators and Transporters of USFRS XL Waste.	2090-AA15

RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)—Completed Actions

Sequence Number	Title	Regulation Identification Number
3815	SAN No. 3201 Regulatory Determination on Remaining Wastes From the Combustion of Fossil Fuels	2050-AD91
3816	SAN No. 4350 Criteria for Municipal Solid Waste Landfills (Completion of a Section 610 Review)	2050-AE75

OIL POLLUTION ACT (OPA)—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
3817	SAN No. 2634 Oil Pollution Prevention Regulation: Revisions	2050-AC62

OIL POLLUTION ACT (OPA)—Completed Actions

Sequence Number	Title	Regulation Identification Number
3818	SAN No. 4217 Facility Response Plan Regulation for Certain Non-Transportation-Related Facilities That Handle, Store, or Transport Vegetable Oils and Animal Fats	2050-AE64

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
3819	SAN No. 3423 Reportable Quantity Adjustments for Carbamates	2050-AE12

EPA

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
3820	SAN No. 3439 National Priorities List for Uncontrolled Hazardous Waste Sites: Proposed and Final Rules	2050-AD75

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
3821	SAN No. 3806 Grants for Technical Assistance Rule Reform—40 CFR Part 35 Subpart M	2050-AE33

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
3822	SAN No. 2394 Reporting Exemptions for Federally Permitted Releases of Hazardous Substances	2050-AB82
3823	SAN No. 3885 Streamlining the Preauthorization Mixed Funding for Application and Implementation of Claims Against Superfund	2050-AE38
3824	SAN No. 4177 Revise 40 CFR Part 35 Subpart O: Cooperative Agreements and Superfund State Contracts for Superfund Response Actions	2050-AE62
3825	SAN No. 4201 Criteria for the Designation of Hazardous Substances Under CERCLA Section 102(a)	2050-AE63

CLEAN WATER ACT (CWA)—Prerule Stage

Sequence Number	Title	Regulation Identification Number
3826	SAN No. 4364 Effluent Guidelines and Standards for the Organic Chemicals, Plastics and Synthetic Fibers Category (Section 610 Review)	2040-AD45

CLEAN WATER ACT (CWA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
3827	SAN No. 2806 Effluent Guidelines and Standards for the Metal Products and Machinery Category, Phases 1 and 2 (Reg Plan Seq No. 125)	2040-AB79
3828	SAN No. 3833 Effluent Guidelines and Standards for the Iron and Steel Manufacturing Point Source Category (Revisions)	2040-AC90
3829	SAN No. 4153 Effluent Guidelines and Standards for Feedlots Point Source Category, and NPDES Regulation for Concentrated Animal Feeding Operations (Reg Plan Seq No. 126)	2040-AD19
3830	SAN No. 3662 Water Quality Standards Regulation — Revision	2040-AC56
3831	SAN No. 4344 Water Quality Standards for Indian Country Waters	2040-AD46
3832	SAN No. 4047 Test Procedures for the Analysis of Cryptosporidium and Giardia Under the Safe Drinking Water and Clean Water Acts	2040-AD08
3833	SAN No. 4214 Test Procedures for the Analysis of E. Coli and Enterococci Under the Clean Water Act	2040-AD34
3834	SAN No. 4474 Minimizing Adverse Environmental Impact From Cooling Water Intake Structures at Existing Facilities Under Section 316(b) of the Clean Water Act (Reg Plan Seq No. 129)	2040-AD62
3835	SAN No. 3786 NPDES Streamlining Rule — Round III	2040-AC84
3836	SAN No. 3999 Revisions to NPDES Requirements for Municipal Sanitary Sewer Collection Systems	2040-AD02
3837	SAN No. 4332 Recognition Awards Under the Clean Water Act	2040-AD44
3838	SAN No. 4446 Ocean Discharge Criteria Revisions	2040-AD60
3839	SAN No. 2804 Clean Water Act Definition of Waters of the United States	2040-AB74
3840	SAN No. 4440 Site-Specific Rule Under XL To Grant Waiver From BMP Regulations Under CWA Cluster Rules ..	2090-AA12

EPA

CLEAN WATER ACT (CWA)—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
3841	SAN No. 4476 Pretreatment Program Reinvention Pilot Projects Under Project XL	2090-AA16

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

CLEAN WATER ACT (CWA)—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
3842	SAN No. 2805 Effluent Guidelines and Standards for the Centralized Waste Treatment Industry	2040-AB78
3843	SAN No. 4086 Effluent Guidelines and Standards for Synthetic-Based Drilling Fluids in the Oil and Gas Extraction Point Source Category (Revisions)	2040-AD14
3844	SAN No. 4195 Water Quality Standards for Alabama—Phase I	2040-AD25
3845	SAN No. 4235 Amend the Final Water Quality Guidance for the Great Lakes System To Prohibit Mixing Zones for Bioaccumulative Chemicals of Concern	2040-AD32
3846	SAN No. 4422 Promulgation of Provisions in the Final Water Quality Guidance for the Great Lakes System for Waters Within the Great Lakes Basin	2040-AD66
3847	SAN No. 3155 Test Procedures for the Analysis of Miscellaneous Metals, Anions, and Volatile Organics Under the Clean Water Act, Phase One	2040-AC95
3848	SAN No. 4409 Test Procedures: Clean Water Act and Safe Drinking Water Act Methods Update	2040-AD59
3849	SAN No. 3663 Streamlining the General Pretreatment Regulations for Existing and New Sources of Pollution	2040-AC58
3850	SAN No. 3288 Comparison of Dredged Material to Reference Sediment	2040-AC14
3851	SAN No. 4261 Further Revisions to Clean Water Act Definition of Discharge of Dredged Material	2040-AD41

CLEAN WATER ACT (CWA)—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
3852	SAN No. 3767 Reformatting of Effluent Guidelines and Standards in 40 CFR Parts 401 through 471	2040-AC79
3853	SAN No. 4050 Effluent Guidelines and Standards for the Pulp, Paper, and Paperboard Category, Phase II	2040-AD10
3854	SAN No. 4192 Effluent Guidelines and Standards for the Bleached Papergrade Kraft Subcategory of the Pulp, Paper, and Paperboard Category; Certification in Lieu of Monitoring for Chloroform	2040-AD23
3855	SAN No. 4168 Effluent Guidelines and Standards for the Coal Mining Point Source Category (Revisions)	2040-AD24
3856	SAN No. 4280 Effluent Guidelines and Standards for the Construction and Development Industry	2040-AD42
3857	SAN No. 4370 Effluent Guidelines and Standards for the Dissolving Kraft and Dissolving Sulfite Subcategories of the Pulp, Paper, and Paperboard Point Source Category (Phase III)	2040-AD49
3858	SAN No. 4406 Effluent Guidelines and Standards for the Aquatic Animal Production Industry	2040-AD55
3859	SAN No. 4407 Effluent Guidelines and Standards for the Meat Products Point Source Category (Revisions)	2040-AD56
3860	SAN No. 4408 Effluent Guidelines and Standards for the Industrial Container and Drum Cleaning Point Source Category.	2040-AD57
3861	SAN No. 4264 Water Quality Standards for Alabama—Phase II	2040-AD35
3862	SAN No. 3702 Test Procedures for the Analysis of Trace Metals Under the Clean Water Act	2040-AC75
3863	SAN No. 3714 Increased Method Flexibility for Test Procedures Approved for Clean Water Act Compliance Monitoring	2040-AC92
3864	SAN No. 3713 Performance-Based Measurement System (PBMS) Procedures and Guidance for Clean Water Act Test Procedures	2040-AC93
3865	SAN No. 4049 Test Procedures for the Analysis of Co-Planar and Mono-Ortho-Substituted Polychlorinated Biphenyls (PCBs) Under the Clean Water Act	2040-AD09
3866	SAN No. 4089 Test Procedures for the Analysis of Miscellaneous Metals, Anions, and Volatile Organics Under the Clean Water Act, Phase Two	2040-AD12
3867	SAN No. 4377 Test Procedures for the Analysis of Mercury Under the Clean Water Act (Method 245.7)	2040-AD52
3868	SAN No. 4378 Revisions to Method Detection and Quantification for Use Under the Clean Water Act and Safe Drinking Water Act	2040-AD53
3869	SAN No. 4357 Uniform National Discharge Standards for Vessels of the Armed Forces - Phase II	2040-AD39
3870	SAN No. 3444 Minimizing Adverse Environmental Impact From Cooling Water Intake Structures at New Facilities Under Section 316(b) of the Clean Water Act	2040-AC34

EPA

CLEAN WATER ACT (CWA)—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
3871	SAN No. 3234 Revision of NPDES Industrial Permit Application Requirements and Form 2C—Wastewater Discharge Information	2040-AC26
3872	SAN No. 4375 Revision to Clean Water Act Regulatory Definition of "Fill Material"	2040-AD51
3873	SAN No. 3488 Round 2 Standards for the Use or Disposal of Sewage Sludge	2040-AC25
3874	SAN No. 4207 Round I Sewage Sludge Use or Disposal Rule — Phase Two Amendments	2040-AC53

CLEAN WATER ACT (CWA)—Completed Actions

Sequence Number	Title	Regulation Identification Number
3875	SAN No. 3204 Effluent Guidelines and Standards for the Transportation Equipment Cleaning Category	2040-AB98
3876	SAN No. 4167 Effluent Limitations Guidelines and Standards for the Feedlots Point Source Category, Dairy and Beef Cattle Subcategories	2040-AD21
3877	SAN No. 4368 2000 Effluent Guidelines Program Plan	2040-AD47
3878	SAN No. 3504 Establishment of Numeric Criteria for Priority Toxic Pollutants for the State of California	2040-AC44
3879	SAN No. 3661 Water Quality Standards: Establishment of Numeric Criteria for Priority Toxic Pollutants; States' Compliance	2040-AC55
3880	SAN No. 3921 Selenium Criterion Maximum Concentration for Water Quality Guidance for the Great Lakes System	2040-AC97
3881	SAN No. 4234 EPA Review and Approval of State and Tribal Water Quality Standards	2040-AD33
3882	SAN No. 3618 Whole Effluent Toxicity West Coast Test Procedures for the Analysis of Pollutants Under the Clean Water Act	2040-AC54
3883	SAN No. 3762 NPDES Streamlining Rule — Round II	2040-AC70
3884	SAN No. 4051 Establishment of Electronic Reporting for NPDES Permittees	2040-AD11
3885	SAN No. 4145 Total Maximum Daily Load (TMDL) Program Regulations and Supporting NPDES Revisions	2040-AD22
3886	SAN No. 4294 Total Maximum Daily Load (TMDL) - NPDES and WQS Regulations Revisions	2040-AD36

SAFE DRINKING WATER ACT (SDWA)—Prerule Stage

Sequence Number	Title	Regulation Identification Number
3887	SAN No. 4212 Use of Screening Procedures for Compliance Monitoring of Drinking Water Contaminants	2040-AD31
3888	SAN No. 4447 Drinking Water: Regulatory Determinations Regarding Contaminants on the Drinking Water Contaminant Candidate List	2040-AD61
3889	SAN No. 4424 6-Year Review of Existing National Primary Drinking Water Regulations	2040-AD67

SAFE DRINKING WATER ACT (SDWA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
3890	SAN No. 3238 National Primary Drinking Water Regulations: Aldicarb	2040-AC13
3891	SAN No. 4341 National Primary Drinking Water Regulations: Long-Term 2 Enhanced Surface Water Treatment Rule (Reg Plan Seq No. 127)	2040-AD37
3892	SAN No. 4342 National Primary Drinking Water Regulations: Stage 2 Disinfectants/Disinfection Byproducts Rule (Reg Plan Seq No. 128)	2040-AD38
3893	SAN No. 4369 Regulated Drinking Water Contaminant Occurrence Reporting	2040-AD48
3894	SAN No. 4404 National Secondary Drinking Water Regulations: Methyl Tertiary Butyl Ether (MTBE)	2040-AD54
3895	SAN No. 4451 Underground Injection Control Class V Phase 2 Revisions	2040-AD63

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

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SAFE DRINKING WATER ACT (SDWA)—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
3896	SAN No. 4373 Unregulated Contaminant Monitoring Rule - List 2	2040-AD58
3897	SAN No. 2281 National Primary Drinking Water Regulations: Radon (Reg Plan Seq No. 143)	2040-AA94
3898	SAN No. 2340 National Primary Drinking Water Regulations: Ground Water Rule (Reg Plan Seq No. 144)	2040-AA97
3899	SAN No. 2807 National Primary Drinking Water Regulations: Arsenic and Clarifications to Compliance and New Source Contaminant Monitoring (Reg Plan Seq No. 145)	2040-AB75
3900	SAN No. 3176 National Primary Drinking Water Regulations: Sulfate	2040-AC07
3901	SAN No. 3563 Reformatting of Drinking Water Regulations	2040-AC41
3902	SAN No. 3992 National Primary Drinking Water Regulations: Radium, Uranium, Alpha, Beta and Photon Emitters	2040-AC98
3903	SAN No. 4147 National Primary Drinking Water Regulations: Long-Term 1 Enhanced Surface Water Treatment Rule	2040-AD18
3904	SAN No. 4281 Revision to the Interim Enhanced Surface Water Treatment Rule (IESWTR) and the Stage 1 Disinfectants and Disinfection Byproducts Rule (DBPR).	2040-AD43
3905	SAN No. 4146 National Primary Drinking Water Regulations: Filter Backwash Recycling Rule	2040-AD65
3906	SAN No. 4236 Update of State Underground Injection Control Programs	2040-AD40
3907	SAN No. 4152 Drinking Water State Revolving Fund Regulations	2040-AD20

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

SAFE DRINKING WATER ACT (SDWA)—Completed Actions

Sequence Number	Title	Regulation Identification Number
3908	SAN No. 4436 Removal of the Maximum Contaminant Level Goal for Chloroform From the National Primary Drinking Water Regulations	2040-AD64
3909	SAN No. 4009 Public Water System Public Notification Regulation	2040-AD06

SHORE PROTECTION ACT (SPA)—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
3910	SAN No. 2820 Shore Protection Act, Section 4103(b) Regulations	2040-AB85

Environmental Protection Agency (EPA)

Proposed Rule Stage

General

3462. UTILIZATION OF SMALL, MINORITY AND WOMEN'S BUSINESS ENTERPRISES IN PROCUREMENT UNDER ASSISTANCE AGREEMENTS

Priority: Other Significant

Legal Authority: PL 101-507; PL 102-389; PL 101-549 sec 1001; 42 USC 9605(f); PL 100-590; EO 12432; EO 12138; EO 11625

CFR Citation: 40 CFR 33

Legal Deadline: None

Abstract: The regulation will codify revisions to the Agency's program for the utilization of Small, Minority and Women's Business Enterprises in procurements under assistance agreements (i.e., grants and cooperative

agreements awarded by EPA as well as grants and cooperative agreements awarded by other agencies under interagency agreements with EPA). The revisions are necessary to ensure consistency with the Supreme Court's decision in *Adarand Constructors, Inc. v. Peña*, 115 S.Ct. 2097 (1995), and were identified as part of the Administration's recent review of affirmative action programs. They include: (1) placing greater emphasis on requiring assistance agreement recipients to submit documentation supporting proposed fair share procurement objectives for Minority Business Enterprises (MBEs) and Women's Business Enterprises (WBEs)

based on the availability of qualified MBEs and WBEs in the relevant geographic market; (2) authorizing or requiring recipients and their prime contractors to take reasonable race/gender-conscious measures (e.g. bidding credits) in the event that race/gender-neutral efforts prove inadequate to meet fair share objectives; and (3) administering statutory MBE/WBE objectives as a national goal, allowing smaller or larger fair share objectives for particular grants or cooperative agreements based on the availability standard.

EPA—General

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 4056

Agency Contact: Rebecca Neer, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, 1230, Washington, DC 20460
Phone: 202 280-4841

Mark Gordon, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, 1230, Washington, DC 20460
Phone: 202 260-8886
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RIN: 2020-AA39

3463. REVISION TO EPAAR 1552.211-73, LEVEL OF EFFORT

Priority: Info./Admin./Other

Legal Authority: 5 USC 301 Sec 205(c); 63 Stat 390 as amended

CFR Citation: 48 CFR 1552

Legal Deadline: None

Abstract: This rule will revise EPAAR 1552.211-73, Level of Effort, to define more concisely the services being acquired, and to more accurately reflect the relationship between services provided and fee payments.

Timetable:

Action	Date	FR Cite
NPRM	01/00/01	
Final Action	03/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Additional Information: SAN No. 4191

Agency Contact: Larry Wyborski, Environmental Protection Agency,

Administration and Resources Management, 3802R, Washington, DC 20460

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RIN: 2030-AA64

3464. INCORPORATING INFORMAL CLAUSES (EP) INTO THE EPAAR

Priority: Info./Admin./Other

Legal Authority: 5 USC 301 Sec 205(c); 63 Stat 390, as amended

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This rule is being promulgated to amend the EPAAR to incorporate Environmental Protection (EP) clauses into the EPAAR. There are a large number of EP clauses being used by contracting officers. This promulgation will capture those EP clauses that have not been submitted for public comment. Most of the EP clauses are used in contracts on a case-by-case basis. The contractor concurs with use of such clauses.

Timetable:

Action	Date	FR Cite
NPRM	10/02/00	65 FR 58921
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. The agency has not yet determined whether there is a paperwork burden associated with this action.

Additional Information: SAN No. 4226

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RIN: 2030-AA66

3465. REVISIONS TO ACQUISITION REGULATION CONCERNING CONFLICT OF INTEREST

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The purpose of this rule is to revise the Agency's conflict of interest (COI) acquisition regulations. The specific revisions involve more stringent requirements for submission of relevant information from Agency contractors and potential contractors regarding their relationships with parent companies, affiliates, subsidiaries, and sister companies. Current Agency regulations do not require the submission of this level of information. Receipt and evaluation of this information is critical in order for the Agency to decide whether or not COI situations exist and how they are to be handled. This revised rule will also codify several COI clauses that have been developed since the issuance of the previous rule in 1994.

Timetable:

Action	Date	FR Cite
NPRM	03/00/01	
Final Action	06/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Additional Information: SAN No. 4319

Sectors Affected: 5416 Management, Scientific and Technical Consulting Services; 54162 Environmental Consulting Services; 5413 Architectural, Engineering and Related Services; 5417 Scientific Research and Development Services; 562 Waste Management and Remediation Services

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EPA—General

Proposed Rule Stage

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RIN: 2030-AA67

3466. INCREMENTALLY FUNDING FIXED PRICE CONTRACTS**Priority:** Substantive, Nonsignificant**Unfunded Mandates:** This action may affect the private sector under PL 104-4.**Legal Authority:** 40 USC 486(c)**CFR Citation:** 48 CFR 1532**Legal Deadline:** None**Abstract:** This proposed rule will add subpart 1532.7, Contract Funding, to the Environmental Protection Agency's Acquisition Regulation (EPAAR). It also will revise part 1552 of the EPAAR to include a clause for incrementally funding fixed price contracts.**Timetable:**

Action	Date	FR Cite
NPRM	02/00/01	
Final Action	05/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.**Additional Information:** SAN No. 3876**Agency Contact:** Frances Smith, Environmental Protection Agency, Administration and Resources Management, 3802R, Washington, DC 20460

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RIN: 2030-AA50

3467. IMPLEMENTATION OF CHANGES TO 40 CFR PART 32**Priority:** Info./Admin./Other**Legal Authority:** EO 12549; EO 12689 and FASA**CFR Citation:** 40 CFR 32**Legal Deadline:** None**Abstract:** Periodically OMB amends the Governmentwide common rule for suspension and debarment of contractors and assistance participants who threaten the integrity of Federal

programs because of criminal misconduct or poor performance. All agencies must issue changes to their individual codified versions to conform to the Common Rule. Recently, the Interagency Suspension and Debarment Coordinating Committee prepared recommendations for comprehensive changes to the Common Rule to conform to changes made in the Federal Acquisition Regulation (FAR) as a result of the Federal Acquisition Streamlining Act (FASA). In addition, several other proposals to improve or change the rule were recommended by various agencies. In December 1996, OMB declined to implement the changes at that time due to differences with some agencies about some changes unrelated to those occasioned by FASA.

Among other things, FASA replaced the small purchase threshold (\$25,000) with the simplified acquisition amount (\$100,000). That change unintentionally exposed certain EPA programs to participation by contractors who may have been debarred for serious misconduct already. OMB has agreed to permit agencies to amend the coverage section of their individual agency rules to reduce or eliminate exposure to suspended or debarred persons.

EPA intends to issue a notice of proposed rulemaking to amend 40 CFR 32.110 to reduce EPA exposure to such consequences.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	
Final Action	03/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.**Additional Information:** SAN No. 3817**Agency Contact:** Robert Meunier, Environmental Protection Agency, Administration and Resources Management, 3901R, Washington, DC 20460

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RIN: 2030-AA48

3468. NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATIONAL PROGRAMS RECEIVING FEDERAL ASSISTANCE**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 794; 42 USC 2000d to 2000d-7; 42 USC 6101 to 6107; EO 12250**CFR Citation:** 28 CFR 42.101 to 42.112; 28 CFR 42.501 to 42.540; 28 CFR 42.700 to 42.736**Legal Deadline:** None

Abstract: The Department of Justice proposes to make amendments to its regulations implementing Title VI of the Civil Rights Act of 1964 (Title VI), Section 504 of the Rehabilitation Act of 1972 (Section 504), and the Age Discrimination Act of 1975 (Age Discrimination Act). Together, these statutes prohibit discrimination on the basis of race, color, national origin, disability, and age in programs or activities that receive Federal financial assistance. In 1988, the Civil Rights Restoration Act (CRRA) added definitions of "program or activity" and "program" to Title VI and added a definition of "program or activity" to Section 504 and the Age Discrimination Act. The added definitions were designed to clarify the broad scope of coverage of recipients' programs or activities under these statutes. The promulgation of this proposed regulation explicitly incorporates the CRRA's definition of "program or activity" and "program" into the Department's Title VI, Section 504, and Age Discrimination Act regulations. The Department's proposed regulation will be published as part of a joint Notice of Proposed Rulemaking involving up to 24 Federal agencies.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	
NPRM Comment Period End	01/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Additional Information:** SAN No. 4021**Agency Contact:** Ann Goode, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, 1201, Washington, DC 20460

EPA—General

Proposed Rule Stage

Phone: 202 260-4581

RIN: 2020-AA36

3469. PROPOSED REVISION TO EPA'S IMPLEMENTING NEPA REGULATIONS

Priority: Info./Admin./Other

Legal Authority: 42 USC 4321

CFR Citation: 40 CFR Part 6

Legal Deadline: None

Abstract: The proposed revision is necessary to clarify and update EPA's National Environmental Policy Act (NEPA) regulation. The revision would clarify Agency responsibilities for: congressionally funded special appropriation projects and EPA funded grant programs. The revision would clarify public involvement procedures and organization responsibilities. The proposal would revise the list of actions which are categorically excluded from analyses. The revision is also needed to incorporate a number of Executive orders and other cross-cutting requirements into the NEPA process.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	01/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Additional Information: SAN No. 4292

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RIN: 2020-AA42

3470. • PUBLIC INFORMATION AND CONFIDENTIALITY REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2005; 15 USC 2601 et seq; 21 USC 346; 33 USC 1251

et seq; 33 USC 1414; 42 USC 11001 et seq; 42 USC 300(f) et seq; 42 USC 4912; 42 USC 6901 et seq; 42 USC 7401 et seq; 42 USC 9601 et seq; 5 USC 552; 7 USC 136 et seq

CFR Citation: 40 CFR 2; 40 CFR 57; 40 CFR 122; 40 CFR 123; 40 CFR 145; 40 CFR 233; 40 CFR 260; 40 CFR 270; 40 CFR 271; 40 CFR 281; 40 CFR 350; 40 CFR 403; 40 CFR 85; 40 CFR 86

Legal Deadline: NPRM, Statutory, August 31, 2000, Proposed rule to eliminate the special treatment of CBI substantiations.

Abstract: EPA regulations at 40 CFR part 2, subpart B, provide procedures for handling and disclosing information claimed as confidential business information (CBI). Although the current regulations have succeeded in protecting CBI, changes in Agency workload, practice, and statutory authority have made it difficult to handle CBI activities as expeditiously as desired. EPA is examining its CBI regulations to determine what changes are needed to make the regulations as efficient and effective as possible. Provision 40 CFR 2.205(c), which automatically protects CBI substantiations claimed as confidential, is being examined individually and as part of the CBI regulations as a whole.

Timetable:

Action	Date	FR Cite
NPRM/CBI Regs Proposal to revise EPA's CBI regulations	11/23/94	59 FR 60446
ANPRM/CBI Regs Adv. notice of proposal to revise CBI regs--40 CFR Part 2, Subp B	11/00/00	
Final/CBI Substant. Final rule to eliminate special treatment of substantiations	01/00/01	
NPRM/CBI Regs Proposal to revise CBI regs--40 CFR Part 2, Subpart B	To Be	Determined
Final Rule/CBI Regs Final rule revising CBI regs--40 CFR Part 2, Subpart B	To Be	Determined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: SAN No. 3240

Fomerly listed as RIN 2020-AA21.

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RIN: 2025-AA02

3471. • REWRITING OF EPA REGULATIONS IMPLEMENTING THE FREEDOM OF INFORMATION ACT

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552

CFR Citation: 40 CFR 2

Legal Deadline: None

Abstract: This document proposes revisions to EPA's regulations under the Freedom of Information Act (FOIA). The FOIA regulations have been streamlined and written in plain English wherever possible. These revisions reflect the principles established by President Clinton and Attorney General Reno in their FOIA Policy Memoranda of October 4, 1993. They also reflect developments in the case law and include updated cost figures for calculating and charging fees. In addition, the proposed revisions include provisions implementing the Electronic Freedom of Information Act Amendments of 1996. These revisions will simplify and expedite responses to FOIA requests.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal

Additional Information: SAN No. 4180

Fomerly listed as RIN 2020-AA40.

Agency Contact: Jeralene Green, Environmental Protection Agency,

EPA—General

Proposed Rule Stage

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RIN: 2025-AA04

3472. • CROSS-MEDIA ELECTRONIC REPORTING (ER) AND RECORDKEEPING RULE

Regulatory Plan: This entry is Seq. No. 130 in Part II of this issue of the **Federal Register**.

RIN: 2025-AA07

3473. WARRANTS FOR ON-SCENE COORDINATORS

Priority: Info./Admin./Other

Legal Authority: Not Yet Determined

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Environmental Protection Agency (EPA) is amending the EPA Acquisition Regulations (EPAAR) to include a clause concerning the issuance of warrants for on-scene coordinators. The intent is to allow program officials with remedial type requirements to receive on-scene coordinator warrants so that they can issue letter contracts.

Timetable:

Action	Date	FR Cite
NPRM	01/00/01	
Final Action	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Additional Information: SAN No. 4351

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RIN: 2030-AA68

3474. CONTRACTOR DIVERSITY CLAUSE

Priority: Info./Admin./Other

Legal Authority: 5 USC 301 sec 205(c); 63 Stat 390 as amended

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The EPAAR will be revised to include a diversity clause for EPA contractors. The clause will require EPA contractors to submit a plan that explains its approach to promoting diversity in the performance of EPA contracts.

Timetable:

Action	Date	FR Cite
NPRM	03/00/01	
Final Action	07/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Additional Information: SAN No. 4397

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RIN: 2030-AA70

3475. • REGULATORY INCENTIVES FOR THE NATIONAL ENVIRONMENTAL ACHIEVEMENT TRACK PROGRAM

Regulatory Plan: This entry is Seq. No. 109 in Part II of this issue of the **Federal Register**.

RIN: 2090-AA13

Environmental Protection Agency (EPA)

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General

3476. REVISION TO 40 CFR 35 SUBPART A AND PROMULGATION OF PERFORMANCE PARTNERSHIP (STATE) GRANT REGULATION

Regulatory Plan: This entry is Seq. No. 131 in Part II of this issue of the **Federal Register**.

RIN: 2030-AA55

3477. REVISION TO 40 CFR 35 SUBPART A AND PROMULGATION OF PERFORMANCE PARTNERSHIP (TRIBAL) GRANT RULE

Regulatory Plan: This entry is Seq. No. 132 in Part II of this issue of the **Federal Register**.

RIN: 2030-AA56

3478. EPAAR COVERAGE ON LOCAL HIRING AND TRAINING

Priority: Other Significant

Legal Authority: 5 USC 301 sec 205(c); 63 Stat 390 as amended

CFR Citation: 48 CFR 1526; 48 CFR 1552

Legal Deadline: None

Abstract: This rule will amend the EPA Acquisition Regulation (EPAAR) to include part 1526, Other Socioeconomic Programs, and to revise part 1552, Solicitation Provisions and Contract Clauses. The purpose is to provide an incentive for prime contractors to utilize local hiring and provide training to local hires in

specific geographical locations where contractual requirements will be performed. This incentive will support economic development in areas where EPA contracts are performed.

Timetable:

Action	Date	FR Cite
NPRM	12/09/98	63 FR 67845
Final Action	05/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no

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paperwork burden associated with this action.

Additional Information: SAN No. 4187

NPRM-

<http://www.epa.gov/fedrgstr/EPA->

GENERAL/1998/December/Day-09/g32683.htm.

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RIN: 2030-AA62

3479. INCORPORATION OF CLASS DEVIATIONS INTO EPAAR

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 1537; 48 CFR 1552

Legal Deadline: None

Abstract: The Agency has approved a number of class deviations (e.g. changes to reporting requirements and monthly progress reports) to the EPAAR since its promulgation in April 1994. This proposed rule would incorporate most of the class deviations to the EPAAR.

Timetable:

Action	Date	FR Cite
NPRM	03/16/00	65 FR 14405
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Additional Information: SAN No. 3580

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RIN: 2030-AA37

3480. EPA MENTOR-PROTEGE PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 1544; 48 CFR 1552

Legal Deadline: None

Abstract: This proposed rule will amend EPA's Acquisition Regulation (EPAAR) to establish a Mentor-Protege Program. Participating prime contractors serving as mentors will provide technical and managerial support to protege small disadvantaged business subcontractors.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/02/00	65 FR 58921
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Additional Information: SAN No. 3629

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RIN: 2030-AA40

3481. DELETION OF EPA ACQUISITION REGULATIONS FOR QUALITY SYSTEMS FOR ENVIRONMENTAL PROGRAMS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 1546.2

Legal Deadline: None

Abstract: EPA is deleting the quality assurance requirements in its Acquisition Regulation (EPAAR) because the Federal Acquisition Regulation (FAR) contains coverage on this subject.

Timetable:

Action	Date	FR Cite
Final Rule	12/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Additional Information: SAN No. 3874

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RIN: 2030-AA51

3482. CONSOLIDATION OF GOOD LABORATORY PRACTICE STANDARDS (GLPS) REGULATIONS CURRENTLY UNDER TSCA AND FIFRA INTO ONE RULE

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 2601 et seq; 7 USC 136 et seq

CFR Citation: 40 CFR 160; 40 CFR 792

Legal Deadline: None

Abstract: On November 29, 1983, EPA published Good Laboratory Practice Standards (GLPS) regulations intended to help ensure data integrity for studies required to support marketing and research permits under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Toxic Substances Control Act (TSCA). These rules were last amended on August 17, 1989. GLPS data integrity measures can be applied to a wide variety of scientific studies. Although the TSCA and FIFRA GLPS contain identical provisions, they were published as separate rules to account for statutory and program differences between TSCA and FIFRA, such as differences in records retention requirements. EPA believes it will be able to address the differences between TSCA and FIFRA, such as differences in records retention requirements. EPA believes it will be able to address the differences of those programs without

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duplicating the entire GLP standard in two places.

This action is intended to consolidate EPA's GLPS into one rule. Program-specific requirements will be addressed in either separate sections of the consolidated rule, or in separate rules as is determined appropriate. This action is not intended to change the requirements, applicability, or enforceability of GLPS with respect to any statute.

EPA has received comments from stakeholders regarding the understandability of many aspects of the GLPS, and over the years has issued numerous clarifications. EPA believes that some clarifications, if included directly in the rule, would make the rule easier to understand and enhance compliance. Therefore, EPA intends to include such clarifications where appropriate in this rulemaking. Finally, in the interest of maintaining consistency between EPA's and Food and Drug Administration's regulations, EPA will determine any modifications that have occurred to the FDA GLP rule and consider incorporation of such changes into the EPA rule. This action will serve to reduce the total regulatory text in the Code of Federal Regulations by an estimated 10 pages, by consolidating 23 pages of text to approximately 13. In the process it will provide a generic GLP rule that may be used by other programs in the Agency.

Timetable:

Action	Date	FR Cite
NPRM	01/22/99	64 FR 3456
Final Action	05/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Additional Information: SAN No. 3807

Agency Contact: David Stangel, Environmental Protection Agency, Office of Enforcement and Compliance Assurance, 2225A, Washington, DC 20460

Phone: 202 564-4162

RIN: 2020-AA26

3483. ENVIRONMENTAL IMPACT ASSESSMENT OF NONGOVERNMENTAL ACTIVITIES IN ANTARCTICA

Priority: Other Significant

Legal Authority: 16 USC 2401 et seq, as amended; 16 USC 2403(a); PL 104-227

CFR Citation: 40 CFR 8

Legal Deadline: Final, Statutory, October 2, 1998, See additional information.

Abstract: The purpose of this action is to develop regulations for: (1) the environmental impact assessment of nongovernmental activities, including tourism, for which the United States is required to give advance notice under paragraph 5 of Article VII of the Antarctic Treaty and (2) coordination of the review of information regarding environmental impact assessment received by the United States from other parties under the Protocol on Environmental Protection. The Office of Federal Activities (OECA/OFA) will use the decisionmaking process of the National Environmental Policy Act (NEPA) to analyze the environmental setting; the types of nongovernmental activities, including tourism, to be addressed by the regulations; their potential for impact; and the alternatives available under rulemaking for environmental impact assessments for nongovernmental activities. An interim final rule, 40 CFR part 8, promulgated April 30, 1997, and on July 15, 1998 extended through the 2000-2001 austral summer, will be replaced by a final rule. The interim final rule was effective immediately so that the U.S. could ratify the Protocol and implement its obligations under the Protocol as soon as it entered into force. These rules are being developed in coordination with other Federal agencies with specific interests in and expertise with Antarctica including the Department of State, National Science Foundation, National Oceanic and Atmospheric Administration, U.S. Coast Guard, Marine Mammal Commission, Department of Justice, and the Council on Environmental Quality.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/30/97	62 FR 23538
Extend Interim Rule Effective Date	04/15/98	63 FR 18352
Final Action	01/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

Federalism: Undetermined

Additional Information: SAN No. 3933

Legal Description: The Interim Final Rule, effective 7/14/98, through the year 2000-2001 austral summer,

Interim Final Rule-
[http://www.epa.gov/fedrgstr/EPA-](http://www.epa.gov/fedrgstr/EPA-IMPACT/1997/April/Day-30/i11075.htm)

IMPACT/1997/April/Day-30/i11075.htm Extend Effective Date-
[http://www.epa.gov/fedrgstr/EPA-](http://www.epa.gov/fedrgstr/EPA-IMPACT/1998/April/Day-15/i10007.htm)

IMPACT/1998/April/Day-15/i10007.htm.

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RIN: 2020-AA34

3484. ELECTRONIC FUNDS TRANSFER

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 5 USC 301 Sec 205(c); 63 Stat 390 as amended

CFR Citation: 48 CFR 1532.11

Legal Deadline: None

Abstract: This rule complies with the revised Federal Acquisition Regulations (FAR) coverage regarding implementation of the Debt Collection Improvement Act. Because the revised FAR offers choices in implementation, each agency must communicate with its vendor community its choices. This rule will let our vendor community know that EPA will require the use of FAR Clause 52.232-34, Payment by Electronic Funds Transfer (Non-CCR), as prescribed in FAR 32.1105(a)(2). Within the Clause, under (c) the payment office shall be inserted as the prescribed designated office. Further inserted shall be that the required EFT information shall be provided no later

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than 15 days prior to submission of the first request for payment.

Timetable:

Action	Date	FR Cite
Final Action	12/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Additional Information: SAN No. 4185

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RIN: 2030-AA57

3485. BUSINESS OWNERSHIP REPRESENTATION

Priority: Info./Admin./Other

Legal Authority: 5 USC 301 Sec 205(c); 63 Stat 390 as amended

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: A new EPAAR clause will be developed to report the ownership category of offerors. This clause would be similar to the FAR clause at 52.219-1 (ALT II). The information obtained will be used to provide outreach initiatives for future awards to those ownership categories that lack EPA awards.

Timetable:

Action	Date	FR Cite
NPRM	06/23/00	65 FR 39115
Final Action	11/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Additional Information: SAN No. 4396

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RIN: 2030-AA69

3486. ADMINISTRATIVE CORRECTIONS TO EPAAR 1515, CONTRACTING BY NEGOTIATION

Priority: Info./Admin./Other

Legal Authority: 5 USC 301; 205(c) 63 Stat 390 as amended

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: Administrative corrections will be made to EPAAR 1515 for clarification purposes.

Timetable:

Action	Date	FR Cite
Final Action	12/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Additional Information: SAN No. 4400

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RIN: 2030-AA73

3487. GUIDELINES FOR CARCINOGEN RISK ASSESSMENT

Priority: Info./Admin./Other

Legal Authority: Not applicable

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Agency will use these guidelines to evaluate suspect

carcinogens in line with the policies and procedures established in the statutes administered by the EPA. These guidelines revise and replace EPA Guidelines for Carcinogen Risk Assessment published at 51 FR 33992, September 24, 1986. These guidelines provide EPA staff and decisionmakers with the directions and perspectives necessary to develop and use risk assessments. The guidelines also provide the general public with basic information about the Agency's approaches to risk assessment.

To develop guidelines the Agency must find a balance between consistency and innovation. Consistent risk assessments provide consistent bases to support regulatory decisionmaking. On the other hand, innovation is necessary so the Agency will base its decisions on current scientific thinking. In balancing these and other science policies, the Agency relies on input from the general scientific community through established scientific peer review processes. The guidelines incorporate basic principles and science policies based on evaluation of the currently available information. The revisions place increased emphasis on the role of carcinogenic mechanisms in risk assessment and clearer explication of underlying assumptions in risk assessment.

These guidelines will have minimal to no impact on small businesses or State, local, and tribal governments.

Timetable:

Action	Date	FR Cite
Reproposed Guidelines	04/23/96	61 FR 17960
Implementation Policy	06/25/96	61 FR 32799
Final Guidelines	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3671

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RIN: 2080-AA06

Environmental Protection Agency (EPA)

Long-Term Actions

General

3488. • REPORT ON PM2.5 FEDERAL REFERENCE METHOD FIELD STUDY**Priority:** Info./Admin./Other**Legal Authority:** Sec. 6102(e) of the Trans. Equity Act for the 21st Century**CFR Citation:** Not Yet Determined**Legal Deadline:** None**Abstract:** Section 6102(e) of the Transportation Equity Act for the 21st Century states:

The Administrator shall conduct a field study of the ability of the PM2.5 Federal Reference Method to differentiate those particles that are larger than 2.5 micrograms (sic) in diameter. This study shall be completed and provided to the Committee on Commerce of the House of Representatives and the Committee on Environment and Public Works of the United States Senate no later than 2 years from the date of enactment of this Act.

In response to this requirement, a report as titled above has been prepared by the Research Triangle Institute, under Contract Number 68-D5-0040, for the National Exposure Research Laboratory.

While the concern about the ability of the Federal Reference Method to function as asserted is understandable, extensive data from multiple laboratory and field tests establish that the Federal Reference Method effectively differentiates between particles larger and smaller than 2.5 micrometers in diameter. This report addresses the concerns of section 6102(e) by discussing the design of the Federal Reference Method, the bimodal nature of ambient aerosols, and results of laboratory and field tests of the behavior of the Final Rulemaking. The report is organized into four main sections: (1) background, (2) laboratory evaluations, (3) field evaluations, and (4) conclusions.

Timetable:

Action	Date	FR Cite
Report to Congress	To Be	Determined

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** SAN No. 4427

Legal Deadline Information: Section 6102(e) of the Transportation Equity Act for the 21st Century states that the Report shall be submitted to Congress no later than 2 years from the date of enactment of the Act.

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RIN: 2080-AA09

Environmental Protection Agency (EPA)

Completed Actions

General

3489. PUBLIC INFORMATION AND CONFIDENTIALITY REGULATIONS**Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 2; 40 CFR 57; 40 CFR 122; 40 CFR 123; 40 CFR 145; 40 CFR 233; 40 CFR 260; 40 CFR 270; 40 CFR 271; 40 CFR 281; 40 CFR 350; 40 CFR 403; 40 CFR 85; 40 CFR 86**Completed:**

Reason	Date	FR Cite
Transferred to RIN 2025-AA02	08/22/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal

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RIN: 2020-AA21**3490. REWRITING OF EPA REGULATIONS IMPLEMENTING THE FREEDOM OF INFORMATION ACT****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 2**Completed:**

Reason	Date	FR Cite
Transferred to RIN 2025-AA04	08/22/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal

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RIN: 2020-AA40**3491. CROSS-MEDIA ELECTRONIC REPORTING (ER) AND RECORDKEEPING RULE****Priority:** Substantive, Nonsignificant**CFR Citation:** Not Yet Determined**Completed:**

Reason	Date	FR Cite
Transferred to RIN 2025-AA07	08/22/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal, State, Local

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RIN: 2020-AA41**3492. DISPLAY OF EPA OFFICE OF INSPECTOR GENERAL HOTLINE POSTER****Priority:** Info./Admin./Other**CFR Citation:** 48 CFR 1503; 48 CFR 1552**Completed:**

Reason	Date	FR Cite
NPRM	05/04/00	65 FR 25899
Final Action	09/21/00	65 FR 57103

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Larry Wyborski

EPA—General

Completed Actions

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3493. RATIFICATION AND DEBARMENT/SUSPENSION PROCEDURES, EPAAR 1509.4

Priority: Info./Admin./Other

CFR Citation: None

Completed:

Reason	Date	FR Cite
Direct Final Rule	06/14/00	65 FR 37299

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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 RIN: 2030-AA72

3494. REVISION TO AWARD FEE CLAUSES, 1552.216-70 AND 1552.216-75

Priority: Info./Admin./Other

CFR Citation: None

Completed:

Reason	Date	FR Cite
Direct Final Rule	05/18/00	65 FR 31498

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 2030-AA74

Environmental Protection Agency (EPA) Clean Air Act (CAA)

Proposed Rule Stage

3495. NEW SOURCE REVIEW (NSR) IMPROVEMENT

Regulatory Plan: This entry is Seq. No. 111 in Part II of this issue of the Federal Register.

RIN: 2060-AE11

3496. PERFORMANCE WARRANTY AND INSPECTION/MAINTENANCE TEST PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7601; 42 USC 7541

CFR Citation: 40 CFR 51; 40 CFR 85

Legal Deadline: None

Abstract: This action establishes a new short test procedure for use in I/M programs required by the Clean Air Act Amendments of 1990. Vehicles that are tested and failed using this procedure and that meet eligibility requirements established by the act would be eligible for free warranty repair from the manufacturers.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	
Final Action	01/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Local, Federal, State

Additional Information: SAN No. 3263

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 RIN: 2060-AE20

3497. INSPECTION/MAINTENANCE RECALL REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7511(a)(2)(b); 42 USC 7511(a)(2)(b)(2)

CFR Citation: 40 CFR 51

Legal Deadline: None

Abstract: This action specifies requirements for enhanced I/M programs to establish a program to ensure compliance with recall notices. This is pursuant to the Clean Air Act Amendments of 1990.

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	
Final Action	02/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

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RIN: 2060-AE22

3498. METHOD 301: FIELD VALIDATION OF POLLUTION MEASUREMENT METHODS FOR VARIOUS MEDIA; REVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq; PL 101-549; 42 USC 7410 et seq

CFR Citation: 40 CFR 60; 40 CFR 63

Legal Deadline: None

Abstract: After promulgation of Method 301, questions were raised about the statistical calculations and the procedure for determining the quality of the data. This rule will clarify those rule provisions.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local

Additional Information: SAN No. 3407

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RIN: 2060-AF00

EPA—Clean Air Act (CAA)

Proposed Rule Stage

**3499. OPERATING PERMITS:
REVISIONS (PART 70)**

Regulatory Plan: This entry is Seq. No. 112 in Part II of this issue of the Federal Register.

RIN: 2060-AF70

**3500. AMENDMENTS TO METHOD 24
(WATER-BASED COATINGS)**

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7410

CFR Citation: 40 CFR 60

Legal Deadline: None

Abstract: The determination of volatile organic compounds (VOCs) content of a surface coating by reference Method 24 involves determination of its water content and calculation of its VOC content as the difference of the two measurements (volatile content minus water content). Method 24 is inherently less precise for water-based coatings than it is for solvent-based coatings and the imprecision increases as water content increases. This action will amend Method 24 by adding a direct measurement procedure for measuring VOC content of water-based coatings. This amendment will improve the precision of Method 24 for water-based coatings.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3649

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RIN: 2060-AF72

**3501. SERVICE INFORMATION
AVAILABILITY**

Priority: Other Significant

Legal Authority: 42 USC 7521(m)

CFR Citation: 40 CFR 86

Legal Deadline: None

Abstract: This rule will require manufacturers of automobiles to provide necessary information needed to make use of emission control diagnostic systems as well as that needed to make emission-related diagnosis and repairs by any person engaged in the repairing or servicing of motor vehicles or motor vehicle engines. This will allow independent service repair garages, individual owners, parts manufacturers, etc., to have access to emission control information to better service automobiles and ensure clean air compliance requirements.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3741

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RIN: 2060-AG13

**3502. NESHAP: PLYWOOD AND
COMPOSITE WOOD PRODUCTS**

Regulatory Plan: This entry is Seq. No. 113 in Part II of this issue of the Federal Register.

RIN: 2060-AG52

**3503. NESHAP: CELLULOSE
PRODUCTION MANUFACTURING**

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: NPRM, Statutory, November 15, 2000.

Abstract: This project is to develop national emission standards for hazardous air pollutants (NESHAPs) by

establishing maximum achievable control technology (MACT) for facilities manufacturing cellulose ether, carboxymethyl cellulose ether, methyl cellulose ether, cellulose food casing, cellulosic sponges, producing rayon, and producing cellophane. MACT standards are under development to reduce the release of hazardous air pollutants (HAP) from all industries to protect the public health and environment. Emissions of HAP from this industry have been associated with, but are not limited to, product washing operations, material storage tanks, and film drying. The scope of the rule has not been determined.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3970

Project combined with SAN 3963

Sectors Affected: 325221 Cellulosic Organic Fiber Manufacturing; 326113 Unsupported Plastics Film and Sheet (except Packaging) Manufacturing

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RIN: 2060-AH11

**3504. NESHAP: MUNICIPAL SOLID
WASTE LANDFILLS**

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 2000.

Abstract: This project is to develop national emission standards for hazardous air pollutants (HAP) by establishing maximum achievable

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control technology (MACT) for municipal solid waste landfills. MACT standards are under development to reduce the release of HAP from all industries to protect the public health and environment. The scope of the rule has not been determined. This project is now scheduled to start in fiscal year 1998. The initial stage of this project is to gather preliminary information on landfills to establish a presumptive MACT. That work will be followed by development of a regulatory package to propose and promulgate a MACT standard.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	09/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: None

Additional Information: SAN No. 3969

Sectors Affected: 562212 Solid Waste Landfill

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RIN: 2060-AH13

3505. TRANSPORTATION CONFORMITY RULE AMENDMENT: CLARIFICATION OF TRADING PROVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 to 7671 CAA sec 176(c)

CFR Citation: 40 CFR 51; 40 CFR 93

Legal Deadline: None

Abstract: The transportation conformity rule, promulgated in November 1993, ensures that transportation and air quality planning are consistent with Clean Air Act air

quality standards. The Open Market Trading Guidance provides guidance to States for establishing a method to quantify emissions reductions (called discrete emissions reductions or DERs) that can be traded among parties and how such trading should occur. This action will amend the transportation conformity rule to clarify how emissions trading could be reconciled in the conformity process.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Local

Additional Information: SAN No. 3917

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RIN: 2060-AH31

3506. STREAMLINED EVAPORATIVE TEST PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7521(m)

CFR Citation: 40 CFR 86 (Revision)

Legal Deadline: None

Abstract: This action will streamline the test procedure used to establish compliance with evaporative emission requirements for light duty vehicles and trucks. The current test procedure requires both two and three day diurnal emission tests, as well as running-loss testing. The revisions will delete the three day requirement and add flexibilities for running-loss compliance. This will enable manufacturers to save significant resources without any decrease in environmental benefits.

Timetable:

Action	Date	FR Cite
NPRM	09/00/01	
Final Action	03/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3910

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RIN: 2060-AH34

3507. REVIEW OF MINOR NEW SOURCES AND MODIFICATIONS IN INDIAN COUNTRY

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 7410

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: As required by the Clean Air Act's New Source Review (NSR) provisions, the EPA is proposing Federal regulations governing preconstruction permitting of minor and major stationary sources of air pollution in Indian country. Pursuant to the Tribal Air Rule, eligible Indian Tribes may receive EPA authorization to develop and implement such programs. The Federal NSR permitting programs would be effective throughout Indian country and would be implemented by EPA if eligible Indian Tribes do not elect, or do not receive authorization, to manage such programs. The proposed Federal minor NSR rule would require sources in Indian country, with certain exceptions, to obtain a permit prior to construction if they are: (1) new minor sources, (2) existing minor sources undergoing modification, or (3) existing major sources undergoing minor modification. The proposed rule also would allow new or existing stationary sources to accept enforceable limits on their production capacity or hours of operation in order to be considered minor sources and avoid being subject to other Clean Air Act requirements such as the title V operating permit program. The proposed Federal major NSR rule would require sources in nonattainment areas in Indian country to obtain a permit prior to construction if they are: (1) new major sources, or (2) existing major sources undergoing major modification. These rules would not impose any mandates on Tribal governments to implement NSR permitting programs. Tribal governments may be affected, however,

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Proposed Rule Stage

insofar as they own or operate sources that must obtain a permit from the EPA under the final Federal permitting program regulations.

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	
Final Action	07/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal, Tribal

Additional Information: SAN No. 3975

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RIN: 2060-AH37

3508. FEDERAL MAJOR NEW SOURCE REVIEW (NSR) PROGRAM FOR NONATTAINMENT AREAS

Priority: Other Significant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 124; 40 CFR 51.165; 40 CFR 52.10; 40 CFR 52.24

Legal Deadline: None

Abstract: The Clean Air Act (Act) (title I, part D) requires that construction permit programs for new or modified major stationary sources of air pollution be established for areas not attaining the NAAQS. This action will add Federal rules at 40 CFR 52.10 for permitting the construction of new or modified major stationary sources in certain nonattainment areas where State, local, or tribal rules in whole or in part are not in place that meet the statutory permitting requirements. These rules will basically incorporate the requirements for State nonattainment NSR permit programs, codified at 40 CFR 51.165(a), with supplemental provisions added to make explicit the permit requirements of

section 173 of the Act and certain long-standing policies regarding nonattainment NSR permitting. This action will also change 40 CFR 52.24 to specify that the requirements of 40 CFR 52.10 govern any permits issued in certain nonattainment areas where acceptable nonattainment NSR rules are not in place. Changes to 40 CFR part 124 will specify that the permit processing, public participation, and permit appeal requirements that otherwise apply to Federal PSD permitting will also apply, in most cases, to Federal nonattainment NSR permitting under 40 CFR 52.10.

Timetable:

Action	Date	FR Cite
NPRM	07/00/01	
Final Action	07/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal, State, Local, Tribal

Federalism: Undetermined

Additional Information: SAN No. 4046

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RIN: 2060-AH53

3509. NESHAP: COKE OVENS: PUSHING, QUENCHING, AND BATTERY STACKS

Priority: Other Significant

Legal Authority: 42 USC 7412

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 2000.

Abstract: There are currently 25 active domestic coke plants, 20 of which are furnace coke plants and 5 of which are foundry coke plants. Coke oven batteries used to produce metallurgical coke at these plants emit hazardous air pollutants (HAPs) such as coke oven emissions and polycyclic organic matter listed in section 112 of the Clean Air Act (CAA). This action will establish a National Emission Standard for Hazardous Air Pollutants (NESHAP) for three specific operations associated

with coke ovens, namely pushing, quenching, and battery stacks.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	10/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal

Additional Information: SAN No. 4022

Sectors Affected: 324199 All Other Petroleum and Coal Products Manufacturing; 331111 Iron and Steel Mills

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RIN: 2060-AH55

3510. RULEMAKING TO MODIFY THE LIST OF SOURCE CATEGORIES FROM WHICH FUGITIVE EMISSIONS ARE CONSIDERED IN MAJOR SOURCE DETERMINATIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 7602 CAA sec 302(j)

CFR Citation: 40 CFR 51; 40 CFR 52; 40 CFR 70; 40 CFR 71

Legal Deadline: None

Abstract: This rulemaking will modify the list of source categories for which fugitive emissions are to be considered in major source determinations under the New Source Review (Prevention of Significant Deterioration and Nonattainment New Source Review) and title V programs. As provided by section 302(j) of the Act, EPA adopted rules on August 7, 1980, that require, for specific source categories, the inclusion of fugitive emissions when determining if a stationary source is a major source. In its 1980 rulemaking,

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Proposed Rule Stage

EPA identified one such specific source category as those stationary source categories being regulated, as of August 7, 1980, under section 111 or 112 of the Clean Air Act. Moreover, EPA indicated that at the time of any future rulemaking proposing to regulate additional categories of sources under section 111 or 112, the EPA would conduct a parallel rulemaking under section 302(j) to determine whether fugitive emissions from sources within these source categories needed to be considered in determining whether the sources were major stationary sources. EPA did not conduct these parallel rulemakings as intended and is now conducting a rulemaking pursuant to section 302(j) to address the source categories which became subject to section 111 and 112 standards after August 7, 1980.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	
Final Action	06/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal, State, Local, Tribal

Federalism: Undetermined

Additional Information: SAN No. 4045

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RIN: 2060—AH58

3511. PROTECTION OF STRATOSPHERIC OZONE: ALLOWANCE SYSTEM FOR CONTROLLING HCFC PRODUCTION, IMPORT & EXPORT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 82.5(h); 40 CFR 82.6(h); 40 CFR 82.8

Legal Deadline: None

Abstract: The Stratospheric Protection Division currently oversees an allowance allocation system for the class I ozone-depleting substances. An allowance allocation system for class II ozone-depleting substances or hydrochlorofluorocarbons (HCFCs) had

not been established prior to 1998 because consumption figures had hovered around 80 percent of the cap imposed by the Montreal Protocol in 1992. The HCFC consumption figures for 1999 indicate that the United States is within 95 percent of the cap. Since the United States is in danger of violating this cap if high HCFC consumption rates continue into 2000, the system for allocating allowances must be in place as soon as possible in order to control HCFC consumption for all four quarters of 2001.

Timetable:

Action	Date	FR Cite
ANPRM	04/04/99	64 FR 16373
NPRM	10/00/00	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 4120

Additional Deadline: Montreal Protocol. The Protocol requires compliance with formulary caps of all parties' consumption and production of HCFCs. The ANPRM is available on the Internet at:

<http://www.epa.gov/fedrgstr/EPA-AIR/1999/April/Day-05/a8258.htm>.

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RIN: 2060—AH67

3512. NESHAP: FUMED SILICA PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412 CAAA Section 112; EO 12866

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: Fumed silica is produced at four facilities in three States. There is no NSPS for the source category. Based

on preliminary results of a screening study, the source category emits chlorine, HCl, and chlorinated organics.

Timetable:

Action	Date	FR Cite
NPRM	02/00/01	
Final Action	02/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4111

Sectors Affected: 325188 All Other Basic Inorganic Chemical Manufacturing

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RIN: 2060—AH72

3513. NESHAP: HYDROCHLORIC ACID PRODUCTION INDUSTRY

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 1857 et seq; 44 USC 350 et seq; 5 USC 605; EO 12291; EO 12866

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 2000.

Abstract: Title III of the Clean Air Act Amendments of 1990 requires the EPA to develop emission standards for each major source category of hazardous air pollutants (HAPs). The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator of the EPA. The EPA has determined that some hydrochloric acid plants may be major sources for one or more HAPs. As a consequence, a regulation (emission standards) will be developed for the hydrochloric acid production industry.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	
Final Action	05/00/02	

EPA—Clean Air Act (CAA)

Proposed Rule Stage

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** Federal, State, Local, Tribal**Additional Information:** SAN No. 4104

Sectors Affected: 325211 Plastics Material and Resin Manufacturing; 325199 All Other Basic Organic Chemical Manufacturing; 325181 Alkalies and Chlorine Manufacturing; 325188 All Other Basic Inorganic Chemical Manufacturing

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RIN: 2060-AH75**3514. NESHAP: ASPHALT/COAL TAR APPLICATION ON METAL PIPES****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 63**Legal Deadline:** Final, Statutory, November 15, 2000.

Abstract: The Clean Air Act (CAA), as amended in 1990, requires the EPA to (1) publish an initial list of all categories of major and area sources of the hazardous air pollutants (HAPs) listed in section 112(b) of the CAA, (2) promulgate a schedule establishing a date for the promulgation of emission standards for each of the listed categories of HAPs emission sources, and (3) develop emission standards for each source of HAPs. These standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The Agency has determined that the application of asphalt or coal tar to metal pipes may reasonably be anticipated to emit several of the 189 HAPs listed in section 112(b) of the CAA. As a consequence, a regulatory development program is being pursued for the asphalt/coal tar application on

metal pipes industry to promulgate emission standards.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** No**Government Levels Affected:** Federal, State, Local, Tribal**Additional Information:** SAN No. 4107

Sectors Affected: 332812 Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers

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RIN: 2060-AH78**3515. NESHAP: CLAY MINERALS PROCESSING****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 63**Legal Deadline:** None

Abstract: The Clean Air Act (CAA), as amended in 1990, requires the EPA to (1) publish an initial list of all categories of major and area sources of the hazardous air pollutants (HAPs) listed in section 112(b) of the CAA, (2) promulgate a schedule establishing a date for the promulgation of emission standards for each of the listed categories of HAPs emission sources, and (3) develop emission standards for each source of HAPs. These standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The Agency has determined that the clay products manufacturing industry may reasonably be anticipated to emit several of the 189 HAPs listed in section 112(b) of the CAA. As a consequence, a regulatory development

program is being pursued for the clay products manufacturing industry to promulgate emission standards. EPA plans to propose four separate standards for the clay products manufacturing industry (see 64 FR 63028, 11/18/99). This action will propose and promulgate standards for the clay minerals processing portion of the industry.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** Federal, State, Local, Tribal**Additional Information:** SAN No. 4113

Sectors Affected: 327121 Brick and Structural Clay Tile Manufacturing; 327122 Ceramic Wall and Floor Tile Manufacturing; 327123 Other Structural Clay Product Manufacturing; 327124 Clay Refractory Manufacturing

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RIN: 2060-AH79**3516. NESHAP: POLYVINYL CHLORIDE AND COPOLYMERS PRODUCTION****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 1857**CFR Citation:** 40 CFR 63**Legal Deadline:** NPRM, Statutory, November 15, 2000.

Abstract: Title III of the Clean Air Act Amendments of 1990 requires EPA to develop emission standards for each major source category of hazardous air pollutants (HAPs). The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the administrator of the EPA. The

EPA—Clean Air Act (CAA)

Proposed Rule Stage

EPA has determined that some plants may be major sources for one or more HAPs. As a consequence, a regulation (emission standards) is being developed for the polyvinyl chloride industry, to be promulgated by November 15, 2000.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	01/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Local

Additional Information: SAN No. 4114

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RIN: 2060-AH82

3517. NESHAP: URANIUM HEXAFLUORIDE PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 2000.

Abstract: This project will develop national emissions standards for hazardous air pollutants (NESHAP) by establishing emissions limitations for hazardous air pollutants (HAP) which can be emitted by the two known sources in this category. The emissions limitations are to be based upon the application of the maximum achievable control technology (MACT). The purpose of the NESHAP is to reduce emissions of HAP to protect public health and the environment. The project will begin in 2000. Initially, information on the industry processes and emissions of HAP will be analyzed to identify available emissions control technologies. That work will be

followed by the development, proposal and promulgation of NESHAP.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State

Additional Information: SAN No. 4098

Sectors Affected: 331419 Primary Smelting and Refining of Nonferrous Metal (except Copper and Aluminum)

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RIN: 2060-AH83

3518. PERFORMANCE SPECIFICATION 16 - SPECIFICATIONS AND TEST PROCEDURES FOR PREDICTIVE EMISSION MONITORING SYSTEMS IN STATIONARY SOURCES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7411 CAA section 111

CFR Citation: 40 CFR 60

Legal Deadline: None

Abstract: Performance Specification 16 is being proposed to provide performance criteria for predictive emission monitoring systems. Predictive systems represent a new technology that uses process information or parameters to predict pollutant emissions instead of directly measuring them. The Agency is allowing their use in recently promulgated rules and they are being considered by a number of regulated facilities. The specification lists the requirements for acceptable systems that are met by passing tests that compare the monitoring system with standardized methods and audit gases to determine system accuracy and stability. Performance Specification 16

will primarily apply to facilities whose emissions can be predicted from process parameters such as combustion processes (including gas turbines and internal combustion engines).

Timetable:

Action	Date	FR Cite
NPRM	01/00/01	
Final Action	01/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: SAN No. 4119

Sectors Affected: 33241 Power Boiler and Heat Exchanger Manufacturing; 333611 Turbine and Turbine Generator Set Unit Manufacturing; 333618 Other Engine Equipment Manufacturing; 336399 All Other Motor Vehicle Parts Manufacturing

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RIN: 2060-AH84

3519. TECHNICAL CHANGE TO DOSE METHODOLOGY FOR 40 CFR 191, SUBPART A

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2021 Atomic Energy Act of 1954; Reorganization Plan No. 3 of 1970; Nuclear Waste Policy Act of 1982

CFR Citation: 40 CFR 190(B); 40 CFR 191(A)

Legal Deadline: None

Abstract: The purpose of this action is to make a technical change to the dose methodology used in subpart A of 40 CFR 191, entitled "Environmental Radiation Protection Standards for the Management and Disposal of Spent Nuclear Fuel, High-Level Waste and Transuranic Waste. The current methodology is outdated. The dose methodology used in the rule published on September 19, 1985, was based on the target organ approach recommended by the International

EPA—Clean Air Act (CAA)

Proposed Rule Stage

Commission on Radiological Protection (ICRP) in Report No. 2. Since that time science has progressed and a new methodology based on an effective dose equivalent approach is currently being recommended by the ICRP in Report No. 26. This action would update the 40 CFR 191, subpart A dose limits published in 1985 from the target organ to the state-of-the-art effective dose equivalent system. There would be no change in the level of protection, just the scientific methodology for determining compliance with the levels of protection established in 1985.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	
Final Action	11/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal**Federalism:** Undetermined**Additional Information:** SAN No. 4003

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RIN: 2060-AH90

3520. DECISION ON A PETITION FROM THE TERRITORY OF AMERICAN SAMOA TO BE EXEMPTED FROM THE GASOLINE ANTI-DUMPING REGULATIONS

Priority: Substantive, Nonsignificant**Legal Authority:** 42 USC 7625-1(a)(1) CAAA**CFR Citation:** 40 CFR 80.90 to 80.130**Legal Deadline:** None

Abstract: EPA will decide whether to grant American Samoa's petition to be exempted from meeting the regulations at 40 CFR 80 that require all conventional gasoline sold in the U.S. to not be more polluting than it was in 1990—called the “gasoline anti-dumping regulations.” These regulations were promulgated to prevent gasoline refiners and distributors from “dumping” pollutants into conventional gasoline that are prohibited in the manufacture of reformulated gasoline. American Samoa

(and other U.S. territories) are allowed under Clean Air Act (CAA) section 325(a) to petition the Administrator for exemption from certain CAA requirements if such compliance is not feasible or is unreasonable due to unique geographical, meteorological, or economic factors of such territory, or other local factors deemed significant.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal, State, Local, Tribal**Additional Information:** SAN No. 4333

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RIN: 2060-AI60

3521. • RULEMAKING ON SECTION 126 PETITIONS FROM NEW YORK AND CONNECTICUT REGARDING SOURCES IN MICHIGAN

Priority: Substantive, Nonsignificant**Legal Authority:** 42 USC 7426**CFR Citation:** 40 CFR 52; 40 CFR 75; 40 CFR 97**Legal Deadline:** None

Abstract: The EPA is proposing to revise the section 126 rule in light of the March 3, 2000 Court decision (Michigan v. EPA, No. 98-1497) on the NOx SIP Call. The court vacated, and remanded to EPA for further consideration, the inclusion of Georgia and Missouri in the NOx SIP Call in light of the Ozone Transport Assessment Group conclusions that emissions from coarse grid portions of States did not merit controls. The reasoning of the Court regarding the significance of NOx emissions from sources in Georgia and Missouri calls into question the inclusion of the

coarse grid portion of Michigan in the NOx SIP Call. In a separate proposal on the NOx SIP Call, EPA is proposing to withdraw the NOx SIP Call requirements for the Michigan coarse grid area. The section 126 rule is based on many of the same analyses and information used for the NOx SIP call and covers part of Michigan. Thus, in light of the court ruling, EPA is proposing to withdraw its section 126 findings and control requirements under the 1-hour ozone standard with respect to sources located in the small part of the coarse grid portion of Michigan that is currently covered by the section 126 rule. The EPA has not identified any existing section 126 sources that would be affected by the proposal, however this proposal would eliminate findings and control requirements for new sources locating in the coarse grid. This proposal does not create any new requirements, thus there are no associated costs. The proposal does not raise any novel legal or policy issues. It is consistent with the Court ruling on the NOx SIP Call and EPA's new proposed action on the NOx SIP Call.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined**Additional Information:** SAN No. 4464

Split from RIN 2060-AH88.

Sectors Affected: 221112 Fossil Fuel Electric Power Generation

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RIN: 2060-AJ36

3522. NAAQS: SULFUR DIOXIDE (RESPONSE TO REMAND)

Regulatory Plan: This entry is Seq. No. 110 in Part II of this issue of the Federal Register.

RIN: 2060-AA61

EPA—Clean Air Act (CAA)

Proposed Rule Stage

3523. NESHAP: RECIPROCATING INTERNAL COMBUSTION ENGINE

Regulatory Plan: This entry is Seq. No. 114 in Part II of this issue of the **Federal Register**.

RIN: 2060–AG63

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RIN: 2060–AE43

CFR Citation: 40 CFR 63

Legal Deadline: NPRM, Statutory, November 15, 2000.

Abstract: Project is to develop a NESHAP for the source category which involves the manufacture of composite products involving thermoset resins and reinforcements. Some of the specific products in the source category are tubs/showers, auto/truck parts, appliances, furniture, piping, construction materials, sporting goods using such materials, and intermediate compounds such as bulk molding compound and sheet molding compounds. The most common HAP in the resins used is styrene, which is present in polyester and vinylester resins as a monomer. Styrene is listed as a candidate urban area source HAP. So is methylene chloride, which is sometimes used for cleaning, and xylenes, which may appear in some mold release formulas. All HAP, except for methylene chloride, are also VOCs.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	06/00/01	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3326

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RIN: 2060–AE79

3524. NESHAP: COMBUSTION TURBINE

Regulatory Plan: This entry is Seq. No. 115 in Part II of this issue of the **Federal Register**.

RIN: 2060–AG67

3526. NESHAP: INTEGRATED IRON AND STEEL

Priority: Other Significant

Legal Authority: 42 USC 7412 CAAA sec 112

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 2000.

Abstract: The Clean Air Act, as amended November 1990, requires the EPA to regulate categories of major and area sources of hazardous air pollutants (HAP). The EPA has determined that integrated iron and steel mills emit several of the 188 HAP listed (including compounds of chromium, lead, manganese, toluene, and polycyclic organic matter) in quantities sufficient to designate them as major sources. As a consequence, integrated iron and steel facilities are among the HAP-emitting source categories selected for regulation.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Rule	10/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: SAN No. 3346

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RIN: 2060–AE48

3525. NESHAP: IRON FOUNDRIES AND STEEL FOUNDRIES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 2000, See additional information.

Abstract: Iron foundries and steel foundries have been identified by the EPA as potentially significant sources of air emissions of manganese compounds, lead compounds, and other substances that are among the pollutants listed as hazardous air pollutants in section 112 of the Clean Air Act, as amended in November of 1990. As such, these industries may be source categories for which national emission standards may be warranted.

Timetable:

Action	Date	FR Cite
NPRM	02/00/01	
Final Action	02/00/02	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Additional Information: SAN No. 3343

EPA is required to promulgate standards for all of the source categories listed in accordance with section 112(e) by November 15, 2000.

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3527. NESHAP: REINFORCED PLASTIC COMPOSITES PRODUCTION

Priority: Other Significant

Legal Authority: 42 USC 7401 et seq

EPA—Clean Air Act (CAA)

Proposed Rule Stage

3528. NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS: MISCELLANEOUS ORGANIC CHEMICAL MANUFACTURING AND MISCELLANEOUS COATING MANUFACTURING**Priority:** Other Significant**Legal Authority:** 42 USC 7412 CAAA sec 112**CFR Citation:** 40 CFR 63**Legal Deadline:** NPRM, Statutory, November 15, 2000.

Abstract: This regulation will cover organic chemical manufacturing processes not covered by the HON or other MACT standards. The regulation will control process vents (continuous and batch, including mixing operations), equipment leaks, storage tanks, wastewater, solvent recovery, and heat exchange systems.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** SAN No. 3452**Sectors Affected:** 325 Chemical Manufacturing

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RIN: 2060-AE82**3529. NESHAP: CHLORINE PRODUCTION****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7412 CAAA sec 112**CFR Citation:** 40 CFR 63**Legal Deadline:** Final, Statutory, November 15, 2000.

Abstract: The chlorine production source category includes facilities engaged in the production of chlorine and sodium hydroxide (caustic) by one of the following electrolytic processes: diaphragm cell, membrane cell, and mercury cell. Hazardous air pollutants (HAPs) emitted include chlorine, hydrogen chloride, and mercury. None of the facilities are major sources on their own. However, several are co-located with major sources (e.g., pulp and paper plants, polymer plants, synthetic organic chemical plants, etc.). Emissions of chlorine and hydrogen chloride are very minor and the Agency is evaluating whether regulation of these HAPs is warranted. Relative to mercury, which is among five pollutants listed for regulation under section 112(c)(6) due to their persistent and bioaccumulative effects, the Agency intends to subject to regulation under section 112(d)(2) all mercury cell facilities regardless of major source status.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	10/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** State**Additional Information:** SAN No. 3449

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RIN: 2060-AE85**3530. AMENDMENTS TO GENERAL PROVISIONS SUBPARTS A AND B FOR 40 CFR 63****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7412 CAA sec 112; PL 101-549**CFR Citation:** 40 CFR 63.1-15; 40 CFR 63.50-56**Legal Deadline:** None

Abstract: The General Provisions (subpart A) were promulgated on March 16, 1994 (59 FR 12408). The General Provisions create the technical and administrative framework and establish general procedures and criteria for implementing MACT standards. On May 16, 1994, six litigants filed petitions for EPA to review certain provisions of the General Provisions. Subpart B, the procedures for implementing section 112(j), were promulgated on May 26, 1994. In June, 1994 litigants filed petitions for EPA to review the promulgated procedures. As a result of the litigation, it is anticipated that a number of technical and administrative amendments to subpart A and B will be proposed.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** State**Additional Information:** SAN No. 3551

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RIN: 2060-AF31**3531. NESHAP: PAINT STRIPPING OPERATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7412 CAA sec 112**CFR Citation:** 40 CFR 63**Legal Deadline:** Final, Statutory, November 15, 2000.

Abstract: The Clean Air Act requires EPA to publish an initial list of all categories of major and area sources of

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Proposed Rule Stage

hazardous air pollutants (HAPs) listed in section 112(b) of the Act and to establish and meet dates for promulgation of emission standards for each of the listed categories of HAP emission sources. The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The EPA has determined that paint stripping operations emit at least one of the HAPs listed in section 112(b) of the Act, specifically methylene chloride. As a result, the source category is included on the initial list of HAP-emitting categories scheduled for promulgation within 10 years of enactment of the Clean Air Act Amendments of 1990. The purpose of this action is to begin a regulatory development program such that any emission standards may be promulgated according to the mandated schedule. It is unknown now whether this action will impact small businesses.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** State**Additional Information:** SAN No. 3746

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RIN: 2060-AG26**3532. NESHAP: TIRE
MANUFACTURING****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 63**Legal Deadline:** Final, Statutory,
November 15, 2000.**Abstract:** This is a 10-year MACT
covering the HAP emissions from the

manufacturing of rubber tires. The emission sources associated with the rubber compound mixing (banbury); extruding; calendaring; building; curing and finishing are covered in this MACT. Forty-one facilities have been initially identified. This includes approximately 35 facilities of at least 10 tpy and 26 facilities of at least 25 tpy. Emissions are primarily associated with rubber processing and the use of HAP-bearing solvent and cements. Several facilities have eliminated through substitution much of the HAP-bearing solvent and cements. However, evaluation of the MACT and separation of the rubber processing emissions from HAP-bearing solvents and cement will reduce the number of affected facilities to about 30. In addition, the tire cord coating operations will also be included. Typically these facilities are separate non-located operations. The major pollutant associated with tire cord is formaldehyde. There are approximately 12 affected major facilities

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	08/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** SAN No. 3749

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RIN: 2060-AG29**3533. PETROLEUM SOLVENT DRY
CLEANERS MAXIMUM ACHIEVABLE
CONTROL TECHNOLOGY (MACT)
STANDARD****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 63**Legal Deadline:** Final, Statutory,
November 15, 2000.

Abstract: The Clean Air Act requires EPA to publish an initial list of all categories of major and area sources of hazardous air pollutants (HAPs) listed in section 112(b) of the Clean Air Act Amendments and to establish and meet dates for promulgation of emission standards for each of the listed categories of HAP emission sources. The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The EPA has determined that the petroleum solvent dry cleaning industry emits several HAPs listed in section 112(b) of the Act; these HAPs are: chlorobenzene, cumene, ethyl benzene, polycyclic organic matter, toluene, and xylene. As a result, the source category is included on the initial list of HAP-emitting categories scheduled for promulgation within 10 years of enactment of the Clean Air Act Amendments of 1990. The purpose of this action is to begin a regulatory development program such that any emission standards may be promulgated according to the mandated schedule. It is anticipated that this action will impact small business, but the extent of that impact has not yet been determined.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** Federal,
State, Local**Additional Information:** SAN No. 3754

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RIN: 2060-AG34

EPA—Clean Air Act (CAA)

Proposed Rule Stage

3534. NESHAP: LARGE APPLIANCE (SURFACE COATING)**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 63**Legal Deadline:** Final, Statutory, November 15, 2000.

Abstract: This regulation will apply to surface coating of large appliance products and parts. This regulation will reduce nationwide emissions of HAPs from surface coating of large appliances, a measure required by section 112 of the Clean Air Act.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	09/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses**Government Levels Affected:** State**Additional Information:** SAN No. 3823

Sectors Affected: 335222 Household Refrigerator and Home Freezer Manufacturing; 335221 Household Cooking Appliance Manufacturing; 335224 Household Laundry Equipment Manufacturing; 335212 Household Vacuum Cleaner Manufacturing; 333298 All Other Industrial Machinery Manufacturing; 335228 Other Major Household Appliance Manufacturing; 336391 Motor Vehicle Air-Conditioning Manufacturing; 333415 Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing; 333319 Other Commercial and Service Industry Machinery Manufacturing

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RIN: 2060-AG54**3535. NESHAP: MISCELLANEOUS METAL PARTS AND PRODUCTS (SURFACE COATING)**

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 63**Legal Deadline:** Final, Statutory, November 15, 2000.

Abstract: This regulation will control emissions of hazardous air pollutants (HAPs) from operations that apply surface coatings to metal parts and products. Although this rule would cover a wide variety of coating operations, it would not apply to specific coating operations for which regulations have been developed (e.g., plastic parts coating, can coating, large appliance coating, etc.). This regulation is required under section 112 of the Clean Air Act of 1990.

Timetable:

Action	Date	FR Cite
NPRM	02/00/01	
Final Action	02/00/02	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions**Government Levels Affected:** State**Additional Information:** SAN No. 3825

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RIN: 2060-AG56**3536. NESHAP: ASPHALT ROOFING AND PROCESSING****Priority:** Other Significant**Legal Authority:** 42 USC 7412 CAAA sec 112**CFR Citation:** 40 CFR 63**Legal Deadline:** Final, Statutory, November 15, 2000.

Abstract: The CAA required EPA to publish an initial list of all categories of major and area sources of hazardous air pollutants (HAPs) listed in section 112(b) of the CAA and to establish and meet dates for promulgation of emissions standards for each of the listed categories of HAP emissions sources. The standards are to be technology-based and are to require the maximum degree of reduction determined to be achievable by the Administrator. The EPA has determined that the asphalt roofing and processing industry may be reasonably anticipated to emit one of the pollutants listed in section 112(b) of the CAA. As a consequence, the source category is included on the initial list of HAP-emitting categories scheduled for standards promulgation within ten years of enactment of the CAA Amendments of 1990. The purpose of this action is to pursue a regulatory development program such that emission standards may be proposed and promulgated according to the mandated schedule.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	
Interim Final	05/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** Federal, State, Local, Tribal**Additional Information:** SAN No. 3655

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RIN: 2060-AG66

EPA—Clean Air Act (CAA)

Proposed Rule Stage

3537. NESHAP: REFRACTORIES MANUFACTURING**Priority:** Other Significant**Legal Authority:** 42 USC 7412 CAA sec 112**CFR Citation:** 40 CFR 63**Legal Deadline:** Final, Statutory, November 15, 2000.

Abstract: The Clean Air Act requires EPA to publish an initial list of all categories of major and area sources of hazardous air pollutants (HAPs) listed in section 112(b) of the Act and to establish and meet dates for promulgation of emission standards for each of the listed categories of HAP emission sources. The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator. The refractory products manufacturing source category is included on the initial list of HAP-emitting categories scheduled for promulgation within ten years of enactment of the Clean Air Act Amendments of 1990. Testing conducted and information obtained to date indicate 22 major sources exist in this source category and will be affected by this rulemaking. The EPA has determined that the refractory products manufacturing industry emits HAPs including chromium compounds, ethylene glycol, phenol, methanol, hydrochloric acid, formaldehyde, polycyclic organic matter (POM) and hydrogen fluoride; eight of the 189 HAPs listed in section 112 of the Act. Impacts on small businesses and on State/local/tribal governments will be assessed.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** SAN No. 3652

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RIN: 2060-AG68**3538. NESHAP: INDUSTRIAL, COMMERCIAL AND INSTITUTIONAL BOILERS AND PROCESS HEATERS****Regulatory Plan:** This entry is Seq. No. 116 in Part II of this issue of the **Federal Register**.**RIN:** 2060-AG69**3539. NESHAP: LIME MANUFACTURING****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq; 5 USC 605; 44 USC 350 et seq**CFR Citation:** 40 CFR 63**Legal Deadline:** Final, Statutory, November 15, 2000.

Abstract: Section 112 of the Clean Air Act Amendments of 1990 requires the EPA to develop emission standards for each major source category of hazardous air pollutants (HAPs). The standards are to be technology-based and are to require the maximum degree of emission reduction determined to be achievable by the Administrator of the EPA. The EPA has determined that some lime manufacturing plants may be major sources for one or more HAPs. As a consequence, a regulation (emission standards) is being developed for the lime manufacturing industry.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Federal, State, Local, Tribal**Additional Information:** SAN No. 3651**Sectors Affected:** 32741 Lime Manufacturing

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RIN: 2060-AG72**3540. NESHAP: SEMICONDUCTOR PRODUCTION****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 63**Legal Deadline:** Final, Statutory, November 15, 2000.

Abstract: This rule will establish a MACT (maximum available control technology) for semiconductor production facilities. There are currently 3 major sources that would be affected by the NESHAP. This action will result in little or no additional emission reduction but will establish a Federal MACT level for large facilities. EPA is evaluating whether there will continue to be major sources in this category before proceeding with rule development.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	
Final Action	01/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal, State, Local**Additional Information:** SAN No. 3902

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RIN: 2060-AG93**3541. NESHAP: METAL CAN (SURFACE COATING) INDUSTRY****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 63**Legal Deadline:** Final, Statutory, November 15, 2000.

EPA—Clean Air Act (CAA)

Proposed Rule Stage

Abstract: This action will result in the reduction of hazardous air pollutants emitted by the metal can industry. The Agency will study what pollutants are emitted and evaluate the control techniques, including pollution prevention, that are used to reduce these emissions. The Agency will also determine what, if any, impact the rule would have on small businesses.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3906

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RIN: 2060–AG96

3542. NESHAP: FABRIC PRINTING, COATING AND DYEING

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 2000.

Abstract: This action will result in the reduction of hazardous air pollutants (HAP) emitted from fabric printing, coating, and dyeing. The Agency will identify and study the types and sources of HAP emissions from these processes, and evaluate pollution prevention and other control techniques which can reduce these emissions.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	
Final Action	04/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State

Additional Information: SAN No. 3909

Sectors Affected: 3133 Textile and Fabric Finishing and Fabric Coating Mills

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RIN: 2060–AG98

3543. NESHAP: AUTOMOBILE AND LIGHT-DUTY TRUCK MANUFACTURING (SURFACE COATING)

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: This action will result in the reduction of hazardous air pollutants (HAPs) emitted from the coatings used by the automobile and light-duty truck manufacturing industry. The Agency will study the HAP emitted by the industry and will evaluate pollution prevention and other control techniques which can reduce these emissions.

Timetable:

Action	Date	FR Cite
NPRM	02/00/01	
Final Action	02/00/02	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State, Local

Additional Information: SAN No. 3907

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RIN: 2060–AG99

3544. NESHAP: PRIMARY MAGNESIUM REFINING

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 7412 CAA sec 112

CFR Citation: 40 CFR 60

Legal Deadline: Final, Statutory, November 15, 2000.

Abstract: Section 112 of the Clean Air Act (Act), as amended November 1990, requires the EPA to regulate categories of major and area sources of hazardous air pollutants (HAPs) listed in section 112(b). The EPA has determined that sources that manufacture primary magnesium may reasonably be anticipated to emit several of the 189 HAPs listed (including chlorine and hydrochloric acid) in quantities sufficient to designate them as a major source. As a consequence, primary magnesium refining is among the HAP emitting source categories selected for regulation and is in the group of categories for which final rules are scheduled to be promulgated by November 15, 2000 (58 FR 63941, December 3, 1993).

Timetable:

Action	Date	FR Cite
NPRM	03/00/01	
Final Action	03/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: SAN No. 3924

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EPA—Clean Air Act (CAA)

Proposed Rule Stage

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RIN: 2060-AH03

3545. NESHAP: CHROMIUM ELECTROPLATING AMENDMENT

Priority: Other Significant

Legal Authority: 42 USC 7412 CAA 112

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: Final standards under section 112(d) for chromium emissions from hard and decorative chromium electroplating and chromium anodizing tanks (40 CFR 63, subpart N) were promulgated on January 25, 1995. Since promulgation, the Agency has determined that a class of chromium electroplating operations were inadvertently excluded from regulation. Specifically, the final standards do not apply to sources engaged in continuous chromium electroplating of steel sheet used to make cans and other containers. It is the Agency's intent to regulate all facilities engaged in chromium electroplating. Therefore, the Agency plans to amend the chromium electroplating rule to extend its applicability to continuous chromium electroplating operations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	
Final Action	06/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State

Additional Information: SAN No. 2841

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RIN: 2060-AH08

3546. NESHAP: SITE REMEDIATION

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7401 et seq; PL 101-549 104 Stat. 2399

CFR Citation: 40 CFR 63

Legal Deadline: NPRM, Statutory, November 15, 2000.
Final, Statutory, November 15, 2000.

Abstract: This rule will specify maximum achievable control technology for site remediation. Hazardous air pollutant emissions from spills of organic liquids, the excavation, transportation, and treatment of contaminated soils and groundwater, and other operations will be considered in developing the rule.

Timetable:

Action	Date	FR Cite
NPRM	03/00/01	
Final Action	03/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Undetermined

Additional Information: SAN No. 3968

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RIN: 2060-AH12

3547. NESHAP: LEATHER FINISHING OPERATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: NPRM, Statutory, November 15, 2000, The Clean Air Act requires promulgation by 11/15/00.

Abstract: Title III of the Clean Air Act requires EPA to develop air emission

standards for facilities that emit any of the 189 hazardous air pollutants. This action will develop a MACT standard for sources involved in leather finishing operations. Facilities involved in these operations release over 1.7 million pounds of hazardous air pollutants per year. Regulation of these facilities will result in a reduction of the emissions of hazardous air pollutants, several of which are highly toxic.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3964

Sectors Affected: 31611 Leather and Hide Tanning and Finishing

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RIN: 2060-AH17

3548. NESHAP: ROCKET ENGINE TEST FIRING

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: As required by section 112(c) of the Clean Air Act, the Environmental Protection Agency has developed a list of categories of sources of hazardous air pollutants (HAPs). The HAPs are listed in section 112(b) of the Clean Air Act. The Rocket Engine Test Firing source category and the Engine Test Facilities source category are included on EPA's list of sources of HAPs. The Rocket Engine Test Firing source category includes facilities engaged in test firing of rocket engines using solid or liquid propellants. The Engine Test

EPA—Clean Air Act (CAA)

Proposed Rule Stage

Facilities source category includes any facility engaged in the testing of stationary or mobile engines, including turbines and reciprocating engines.

Timetable:

Action	Date	FR Cite
NPRM	02/00/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

Additional Information: SAN No. 3972

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RIN: 2060-AH35

3549. NESHAP: ORGANIC LIQUIDS DISTRIBUTION (NON-GASOLINE)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: NPRM, Statutory, November 15, 2000.

Abstract: This project is to develop national emission standards for hazardous air pollutants by establishing maximum achievable control technology (MACT) for facilities distributing organic liquids. MACT standards are under development to reduce the release of hazardous air pollutants (HAPs) from all industries to protect the public health and environment. The EPA has not determined the scope of this project. However, this project should include but is not limited to those activities associated with the storage and distribution of organic liquids other than gasoline at sites that serve as distribution points from which organic

liquids may be obtained for further use and processing.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	10/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 3971

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RIN: 2060-AH41

3550. AMENDMENTS TO PARTS 51, 52, 63, 70 AND 71 REGARDING THE PROVISIONS FOR DETERMINING POTENTIAL TO EMIT

Priority: Other Significant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: This action proposes to amend regulations already established to implement the new Federal air toxics program under section 112, including the General Provisions, the Federal operating permit program under title V, and the major source preconstruction programs under parts C and D of title I.

The proposed rule will address issues related to the determination of a stationary source's potential to emit in response to three court decisions.

This action resulted from splitting of RINs 2060-AC98 and 2060-AC63.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3479

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RIN: 2060-AI01

3551. • NESHAP: AMINO/PHENOLIC RESINS AMENDMENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: On January 20, 2000, EPA promulgated the NESHAP for Manufacturing of Amino/Phenolic Resins (65 FR 3275). Subsequently, a petition on the rule was filed by the Amino and Phenolic Wood Adhesives Association (APWAA). APWAA objects to the inclusion of certain equipment provisions, claiming that they are not cost effective. Additionally, the litigant objects to the method in which the floor for certain process vents was calculated. This amendment will address these issues.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal, State, Local

Additional Information: SAN No. 4455
Split from RIN 2060-AE36.

Sectors Affected: 325211 Plastics Material and Resin Manufacturing

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EPA—Clean Air Act (CAA)

Proposed Rule Stage

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3552. METAL FURNITURE (SURFACE COATING) NESHAP

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory,
November 15, 2000.

Abstract: This regulation will apply to surface coating of metal furniture products and parts. This regulation will reduce nationwide emissions of HAPs from surface coating of metal furniture products and parts, which is required under section 112 of the Clean Air Act.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	09/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3824

Sectors Affected: 337124 Metal Household Furniture Manufacturing; 33636 Motor Vehicle Fabric Accessories and Seat Manufacturing; 337215 Showcase, Partition, Shelving, and Locker Manufacturing; 337127 Institutional Furniture Manufacturing; 332116 Metal Stamping; 332612 Wire Spring Manufacturing; 337215 Showcase, Partition, Shelving, and Locker Manufacturing

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RIN: 2060-AG55

3553. PLASTIC PARTS (SURFACE COATING) NESHAP

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory,
November 15, 2000.

Abstract: This action would address the hazardous air pollutants (HAP) emissions from the coating of plastic parts. Pollution prevention approaches will be considered.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: State

Additional Information: SAN No. 3826

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RIN: 2060-AG57

3554. NESHAP: WOOD BUILDING PRODUCTS (SURFACE COATING)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory,
November 15, 2000.

Abstract: This action will result in the reduction of hazardous air pollutants (HAP) emitted by the wood building product surface coating industry. The

Agency will study the various HAP emitted by the industry and evaluate pollution prevention and control techniques which can reduce these emissions.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

Additional Information: SAN No. 3904

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RIN: 2060-AH02

3555. LOCATION OF SELECTIVE ENFORCEMENT AUDITS OF FOREIGN MANUFACTURED VEHICLES AND ENGINES; AMENDMENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7525 CAA sec 206(b)

CFR Citation: 40 CFR 86G (Revision);
40 CFR 86K (Revision)

Legal Deadline: None

Abstract: This action would consider an amendment to the existing regulations to include ports of entry as a location for EPA selection of foreign produced vehicles and engines for SEA emissions testing at laboratories in the U.S. While the regulations do not specify EPA authority to conduct such port selections, the increased flexibility provided by port selections warrants amending the regulations. Presently, EPA must travel overseas to conduct

EPA—Clean Air Act (CAA)

Proposed Rule Stage

SEA audits of foreign manufactured vehicles and engines, even though most manufacturers now have access to laboratory facilities in the U.S. The benefits include a reduction in Agency cost since fewer overseas trips would be necessary. Also, EPA would be able to conduct more audits of foreign manufactured vehicles and engines.

Separate from the provisions proposed in this NPRM for amendments to allow port selection for SEAs, EPA is also proposing to make two other amendments to 40 CFR part 86. The first would amend current Selective Enforcement Auditing regulations to change the minimum annual limit of Selective Enforcement Audits per manufacturer to two (2) per year. Currently, the minimum annual limit is one audit per manufacturer. Under the proposed amendments EPA would be able to perform a second audit on those manufacturers that might otherwise be limited to one audit.

The second additional proposed amendment to part 86 would delete from subparts A and E references to the Agency representation in certain types of administrative hearings. The two provisions state that the Office of General Counsel will represent the Agency in administrative procedures governing hearings on certification for light-duty vehicles, light-duty trucks, heavy-duty engines and motorcycles. The Agency is proposing to delete these two provisions in order to be consistent with other hearing procedures in part 86.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3139

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RIN: 2060-AD90

3556. REVIEW OF FEDERAL TEST PROCEDURES FOR EMISSIONS FROM MOTOR VEHICLES; TEST PROCEDURE ADJUSTMENTS TO FUEL ECONOMY AND EMISSION TEST RESULTS

Priority: Substantive, Nonsignificant

Legal Authority: PL 101-549

CFR Citation: 40 CFR 600; 40 CFR 86

Legal Deadline: None

Abstract: This action considers potential adjustments to fuel economy and emission test results to compensate for test procedure changes previously adopted; it applies to light-duty vehicles and light-duty trucks. This aspect of the previous rulemaking (SAN 3323, RIN 2060-AE27) was deferred.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	
Final Action	04/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3979

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RIN: 2060-AH38

3557. PROTECTION OF STRATOSPHERIC OZONE: RECONSIDERATION OF SECTION 608 SALES RESTRICTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7671(g) CAA sec 608

CFR Citation: 40 CFR 82(F)

Legal Deadline: None

Abstract: The rule will include the reconsideration of the sales restriction as it relates to split systems. The Agency was petitioned to reconsider the part of the sales restriction that included the sale of pre-charged split systems. It restricted such sales to certified technicians. Since then, EPA stayed that portion of the sales restriction in response to the petition. This rule will include the determination of the Agency related to the reconsideration. It addresses

environmental problems of ozone depletion resulting from emissions of chlorofluorocarbons, hydrochlorofluorocarbons, and other ozone-depleting substances. Through restricting sales of certain pre-charged items to persons certified as technicians, emissions to the atmosphere are decreased. The impact on small businesses and governments would be negligible, since persons can become certified if the EPA determination is a full restriction. Most businesses and governments will have at least one certified technician on board. This action has no impact on small business and State, local, and tribal governments.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	
Final Action	01/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3673

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RIN: 2060-AG20

3558. PAPER AND OTHER WEB COATING NESHAP

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63; 40 CFR 59

Legal Deadline: Final, Statutory, November 15, 2000.

Abstract: This action would result in the reduction of hazardous air pollutants (HAPs) emitted by the paper and other web coating industries. The Agency will study the various HAP and VOC pollutants emitted by the industry and will evaluate pollution prevention and control techniques which can reduce these emissions.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	08/00/01	

Regulatory Flexibility Analysis Required: No

EPA—Clean Air Act (CAA)

Proposed Rule Stage

Small Entities Affected: Businesses**Government Levels Affected:** None**Additional Information:** SAN No. 3827

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RIN: 2060-AG58

3559. AMENDMENTS TO VEHICLE INSPECTION MAINTENANCE PROGRAM REQUIREMENTS IMPLEMENTING THE ONBOARD DIAGNOSTIC CHECK; PROPOSED AMENDMENT TO THE FINAL RULE

Priority: Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 51; 40 CFR 85**Legal Deadline:** None

Abstract: This action proposes substantive and minor revisions to the Motor Vehicle Inspection/Maintenance (I/M) requirements to provide additional flexibility to state I/M programs by allowing such programs to replace traditional I/M tests on model year 1996 and newer vehicles with a check of the onboard diagnostic (OBD) system. Additionally, the proposed amendments would: Revise and simplify the failure criteria for the OBD check; address State Implementation Plan (SIP) credit modeling for the OBD check; and allow for limited exemptions from some OBD check failure and/or rejection criteria for certain model years.

Timetable:

Action	Date	FR Cite
NPRM - Amendments to Vehicle I/M Program Requirements for OBD Checks	10/00/00	
Final Rule - Amendments to Vehicle I/M Program Requirements for OBD Checks	01/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** Undetermined**Additional Information:** SAN No. 4385

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RIN: 2060-AJ03

3560. NESHAP: GENERIC MACT FOR CARBON BLACK, ETHYLENE, CYNAIDE AND SPANDEX

Priority: Substantive, Nonsignificant**Legal Authority:** 42 USC 7412 CAA 112**CFR Citation:** 40 CFR 63**Legal Deadline:** NPRM, Statutory, November 15, 2000.

Abstract: Several of the source categories that are subject to MACT (maximum achievable control technology) standards contain only a few sources (e.g., less than five). For such categories, EPA plans to develop a generic MACT standard for these source categories. Given the relatively few affected sources caught by the generic standard, the overall cost and environmental effects of this action are expected to be small, nationally.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** Federal, State, Local**Additional Information:** SAN No. 4105

Sectors Affected: 325182 Carbon Black Manufacturing; 325188 All Other Basic Inorganic Chemical Manufacturing

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RIN: 2060-AH68

3561. NESHAP: CHROMIUM ELECTROPLATING AMENDMENT

Priority: Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 63 (Revision)**Legal Deadline:** None

Abstract: Since the promulgation of the chromium electroplating NESHAP we have been informed of several sources that are experiencing difficulty in complying with the concentration limit for new sources even though they have installed and operate composite mesh pad scrubber technology similar or identical to that used as the basis for the MACT emission limit. These sources operate new state-of-the-art plating tanks not encountered during rule development which feature enclosing hoods that completely cover the surface of the plating tank. This covered tank design allows for effective capture and ventilation at substantially lower exhaust air flow rates than otherwise encountered with more conventional exterior hooding. Although these sources exceed the new source standard concentration limit of 0.015 mg/dscm, actual mass rate emissions are more than 50 percent lower than would otherwise be achieved with more conventional hooding and higher ventilation rates. The chromium electroplating standard will be amended to include this alternative type of control system.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses**Government Levels Affected:** State

EPA—Clean Air Act (CAA)

Proposed Rule Stage

Additional Information: SAN No. 4115**Sectors Affected:** 332813Electroplating, Plating, Polishing,
Anodizing and Coloring**Agency Contact:** Phil Mulrine,
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Phone: 919 541-5602
Email: vervaert.al@epa.gov**RIN:** 2060-AH69**3562. NESHAP: ALUMINA
PROCESSING****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 1857 et seq;
44 USC 350 et seq; 5 USC 605; EO
12866**CFR Citation:** 40 CFR 63**Legal Deadline:** None

Abstract: The CAA required the EPA to publish an initial list of all categories of major and area sources of hazardous air pollutants (HAPs) listed in section 112(b) of the CAA and to establish and meet dates for promulgation of emissions standards for each of the listed categories of HAP emissions sources. The standards are to be technology-based and are to require the maximum degree of reduction determined to be achievable by the Administrator. The EPA has determined that the alumina processing industry may be reasonably expected to emit one of the pollutants listed in section 112(b) of the CAA. As a consequence, the source category is included on the initial list of HAP emitting categories scheduled for standards promulgation within 10 years of enactment of the CAA Amendments of 1990. The purpose of this action is to pursue a regulatory development program such that emissions standards may be proposed and promulgated for this industry.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	
Final Action	05/00/02	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal,
State, Local, Tribal**Additional Information:** SAN No. 4110**Sectors Affected:** 325188 All Other
Basic Inorganic Chemical
Manufacturing**Agency Contact:** Penny Lassiter,
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NONROAD SPARK-IGNITION ENGINES
RATED OVER 19 KW AND NEW LAND-
BASED RECREATIONAL SPARK-
IGNITION ENGINES****Priority:** Economically Significant.
Major status under 5 USC 801 is
undetermined.**Legal Authority:** 42 USC 7401 to
7671(q)**CFR Citation:** 40 CFR 94**Legal Deadline:** NPRM, Judicial,
September 29, 2000.
Final, Judicial, December 31, 2001.

Abstract: Emissions from large spark-ignition engines are currently unregulated. EPA and California Air Resources Board (CARB) are cooperating in an effort to set emission standards for these engines to substantially reduce their contribution to the emission inventory.

Timetable:

Action	Date	FR Cite
Proposed Finding	02/08/99	64 FR 6008
NPRM	09/00/01	
Final Finding	09/00/01	
Final Action	09/00/02	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** SAN No. 4154**Sectors Affected:** 333924 Industrial
Truck, Tractor, Trailer and StackerMachinery Manufacturing; 335312
Motor and Generator Manufacturing;
42183 Industrial Machinery and
Equipment Wholesalers**Agency Contact:** Alan Stout,
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AIR POLLUTION FROM NEW
COMPRESSION-IGNITION AND
SPARK-IGNITION RECREATIONAL
MARINE ENGINES****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7547(a)**CFR Citation:** 40 CFR 94**Legal Deadline:** NPRM, Judicial,
November 17, 2000.
Final, Judicial, November 16, 2001.

Abstract: This proposed rulemaking will establish numerical emission limits for compression-ignition and spark-ignition engines used on marine recreational vessels. This action will complete EPA's emission control program for marine engines (commercial engines and spark-ignition outboard and personal watercraft engines are covered in separate rules).

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	
Final Action	11/00/01	

**Regulatory Flexibility Analysis
Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Federal**Additional Information:** SAN No. 4251**Agency Contact:** Jean Marie Revelt,
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EPA—Clean Air Act (CAA)

Proposed Rule Stage

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RIN: 2060-AI36

3565. PROTECTION OF STRATOSPHERIC OZONE: PROCESS FOR EXEMPTING QUARANTINE AND PRESHPMENT METHYL BROMIDE AND TRADE BAN WITH NON-PARTIES TO THE MONTREAL PROTOCOL

Priority: Other Significant

Legal Authority: 42 USC 7414; 42 USC 7671 to 7671(q)

CFR Citation: 40 CFR 82.1 to 82.13

Legal Deadline: None

Abstract: The Montreal Protocol exempts quarantine and preshipment from the methyl bromide production and import baseline; therefore, a regulation must be promulgated to allow for the exemption in EPA's current allowance system.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	01/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4253

(OLD TITLE)Protection of Stratospheric Ozone: Process for Exempting Quarantine and Preshipment Methyl Bromide Used in the United States and Baseline Adjustments

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RIN: 2060-AI42

3566. REVIEW NATIONAL AMBIENT AIR QUALITY STANDARDS FOR CARBON MONOXIDE

Priority: Other Significant

Legal Authority: Clean Air Act Title I

CFR Citation: 40 CFR 50

Legal Deadline: Final, Statutory, May 31, 2001, Clean Air Act requires reviews every five years.

Abstract: Review of the national ambient air quality standards (NAAQS) for carbon monoxide (CO) every 5 years is mandated by the Clean Air Act. This review assesses the available scientific data about the health and environmental effects of CO and translates the science into terms that can be used in making recommendations about whether or how the standards should be changed. The last review of the CO NAAQS was completed in 1994 with a final decision that revisions were not appropriate at that time.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Federalism: Undetermined

Additional Information: SAN No. 4266

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RIN: 2060-AI43

3567. REVIEW OF THE NATIONAL AMBIENT AIR QUALITY STANDARDS FOR PARTICULATE MATTER

Regulatory Plan: This entry is Seq. No. 117 in Part II of this issue of the Federal Register.

RIN: 2060-AI44

3568. TRANSPORTATION CONFORMITY AMENDMENTS: RESPONSE TO MARCH 2, 1999, COURT DECISION

Regulatory Plan: This entry is Seq. No. 118 in Part II of this issue of the Federal Register.

RIN: 2060-AI56

3569. NATIONAL VOC EMISSION STANDARDS FOR CONSUMER PRODUCTS; PROPOSED AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 59

Legal Deadline: None

Abstract: Amendments to the consumer products rule are being proposed to clarify and correct the rule.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 4309

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RIN: 2060-AI62

3570. NESHAP FOR ETHYLENE OXIDE COMMERCIAL STERILIZATION OPERATIONS-MONITORING AMENDMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

EPA—Clean Air Act (CAA)

Proposed Rule Stage

Legal Authority: 42 USC 7412 CAA sec 112

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The proposed amendments will correct technical problems associated with both the emission limits (because of safety issues) and the compliance testing and monitoring requirements.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal, State

Additional Information: SAN No. 4316

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RIN: 2060-AI64

3571. NESHAP FOR THE PRINTING AND PUBLISHING INDUSTRY; AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412 CAAA 112

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 1994.

Abstract: The amendments will clarify the rule and ensure it reflects the EPA's intent.

Timetable:

Action	Date	FR Cite
NPRM	02/00/01	
Final Action	08/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Local

Additional Information: SAN No. 4310

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RIN: 2060-AI66

3572. NESHAP: BRICK, STRUCTURAL CLAY PRODUCTS, AND CLAY CERAMICS MANUFACTURING

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: The brick and structural clay products industry primarily includes facilities that manufacture brick, clay, pipe, roof tile, extruded floor and wall tile, and extruded dimensional clay products from clay, shale, or a combination of the two. Ceramics are defined as a class of inorganic, nonmetallic solids that are subject to high temperature in manufacture and/or use. The primary raw material used in traditional ceramics is clay. Traditional ceramics include ceramic tile, dinnerware, sanitaryware, pottery, and porcelain. The manufacture of brick, structural clay products, and clay ceramics involves raw material processing (mining, crushing, grinding, and screening), mixing, forming, cutting or shaping, drying, and firing.

Timetable:

Action	Date	FR Cite
NPRM	02/00/01	
Final Action	02/00/02	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Federal, State, Local, Tribal

Federalism: Undetermined

Additional Information: SAN No. 4325
Split from RIN 2060-AH79.

Sectors Affected: 327121 Brick and Structural Clay Tile Manufacturing; 327122 Ceramic Wall and Floor Tile Manufacturing; 327123 Other Structural Clay Product Manufacturing; 327124 Clay Refractory Manufacturing

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RIN: 2060-AI67

3573. NESHAP: CLAY CERAMICS MANUFACTURING

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: Ceramics are defined as a class of inorganic, nonmetallic solids that are subject to high temperature in manufacture and/or use. The clay ceramics manufacturing source category includes facilities that manufacture traditional ceramics. Traditional ceramics include ceramic tile, dinnerware, sanitaryware, pottery, and porcelain. The primary raw material used in the manufacture of traditional ceramics is clay. The manufacture of clay ceramics involves raw material processing (crushing, grinding, and screening), mixing, forming, shaping, drying, glazing, and firing.

Timetable:

Action	Date	FR Cite
NPRM	02/00/01	
Final Action	02/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4343

Sectors Affected: 327121 Brick and Structural Clay Tile Manufacturing; 327122 Ceramic Wall and Floor Tile Manufacturing; 327123 Other Structural Clay Product Manufacturing; 327124 Clay Refractory Manufacturing

EPA—Clean Air Act (CAA)

Proposed Rule Stage

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RIN: 2060-AI68

3574. PETITIONS TO DELIST HAZARDOUS AIR POLLUTANTS (E.G., MEK, EGBE, METHANOL, AND MIBK) FROM SECTION 112(B)(1) OF THE CLEAN AIR ACT

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Section
112(b)(3)

CFR Citation: Not Yet Determined

Legal Deadline: NPRM, Statutory,
February 28, 2000.

Abstract: The Agency has received 4 petitions to remove certain pollutants (i.e., methanol, methyl ethyl ketone, ethylene glycol butyl ether, and methyl isobutyl ketone) from the list of hazardous air pollutants (HAPs) under Section 112(b) of the Clean Air Act. The Agency must review the petitions and either grant or deny the petition within 18 months of the date the complete petition was received. If the Agency grants a petition, a notice of proposed rulemaking will be published in the Federal Register, allowing the opportunity for public comment. If the Agency denies a petition, a notice of denial will be published in the Federal Register providing an explanation for such denial. If the Agency grants a petition and ultimately removes the pollutant from the HAP list then sources emitting such pollutants would not be required to meet MACT emissions standards for the pollutant. If on the other hand, the Agency denies the petition, then MACT standards would be issued as currently planned under Section 112(c) and 112(d) of the Clean Air Act for sources emitting such pollutants. Depending on the 4 individual determinations, the Agency will issue separate notices for each.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	07/00/02	

**Regulatory Flexibility Analysis
Required:** Undetermined

Small Entities Affected: No

Government Levels Affected:
Undetermined

Federalism: Undetermined

Additional Information: SAN No. 4313

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RIN: 2060-AI72

3575. NESHAP: ENGINE TEST FACILITIES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: As required by section 112(c) of the Clean Air Act, the Environmental Protection Agency has developed a list of categories of sources of hazardous air pollutants (HAPs). The HAPs are listed in section 112(b) of the Clean Air Act. The Engine Test Facilities source category are included on EPA's list of sources of HAPs. The Engine Test Facilities source category includes any facility engaged in the testing of stationary or mobile engines, including turbines and reciprocating engines. Aircraft engine testing consists of facilities which perform testing on uninstalled aircraft engines. Non-aerospace engine test facilities consists of facilities which perform testing on uninstalled engines such as automotive engines, stationary turbines, IC engines, and diesel engines.

Timetable:

Action	Date	FR Cite
NPRM	02/00/01	
Final Action	05/00/02	

**Regulatory Flexibility Analysis
Required:** Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

Additional Information: SAN No. 4144
Split from RIN 2060-AH35

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RIN: 2060-AI74

3576. NESHAP: LIGHTWEIGHT AGGREGATE MANUFACTURING

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory,
November 15, 2000.

Abstract: EPA is required under Section 112 of the Clean Air Act to develop maximum achievable control technology (MACT) standards for various industrial source categories. The lightweight aggregate manufacturing industry is currently part of the clay products MACT source category. However, EPA is developing a separate MACT standard for lightweight aggregate in anticipation that the current clay products source category will be broken down into 4 separate source categories, including lightweight aggregate. The lightweight aggregate source category will be proposed at the time the MACT standard is proposed. Lightweight aggregate kilns that burn hazardous waste are subject to the hazardous waste combustor MACT standard.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	
Final Action	05/00/02	

**Regulatory Flexibility Analysis
Required:** Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Federal,
State, Local, Tribal

Additional Information: SAN No. 4346
Split from RIN 2060-AH79

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Sectors Affected: 327121 Brick and Structural Clay Tile Manufacturing; 327122 Ceramic Wall and Floor Tile Manufacturing; 327123 Other Structural Clay Product Manufacturing; 327124 Clay Refractory Manufacturing

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RIN: 2060-AI75

3577. NATIONAL AMBIENT AIR QUALITY STANDARD FOR OZONE - CORRECTIONS NOTICE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7409; 42 USC 7601(a)

CFR Citation: 40 CFR 50.9 (a)

Legal Deadline: None

Abstract: This action corrects the Code of Federal Regulations to include an alternative pollutant-monitoring method that was inadvertently left out when the National Ambient Air Quality Standards for Ozone were revised in 1979. This amendment will assure that States have the flexibility in choice of monitoring methods that was originally intended.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: SAN No. 4304

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RIN: 2060-AI95

3578. DEVELOPMENT OF REFERENCE METHOD FOR THE DETERMINATION OF SOURCE EMISSIONS OF FILTERABLE FINE PARTICULATE MATTER AS PM2.5

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7410

CFR Citation: 40 CFR 51 App M

Legal Deadline: None

Abstract: Under this action, EPA is initiating the publication of a reference test method that can be used to quantify that portion of particulate matter emissions that are solid at stack conditions and are equal to or less than 2.5 μ m in aerodynamic diameter. This test method is to be used in conjunction with existing and future reference methods which are designed to quantify condensable particulate and particulate precursors. Condensable particulate is that portion of particulate matter emissions that are gaseous at stack conditions but which quickly condense to a solid form when released to the atmosphere. Particulate precursors are gaseous compounds which become solids as a result of chemical reactions in the atmosphere. This test method supports the amended National Ambient Air Quality Standard (NAAQS) for particulate matter which was promulgated on July 18, 1997. The NAAQS was revised by adding new standards for particulate of 2.5 μ m aerodynamic diameter. An important foundation element of State efforts to attain the NAAQS will be the development of reliable inventories of baseline particulate and particulate precursor emissions. The emission inventories developed should be based upon credible source tests of individual facilities or emission factors developed from credible source tests. At the present time there is no reference test method available for quantifying the filterable particulate matter of 2.5 μ m aerodynamic diameter from emission sources.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	
Final Action	05/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 4306

Sectors Affected: 21231 Stone Mining and Quarrying; 221112 Fossil Fuel Electric Power Generation; 3212 Veneer, Plywood and Engineered Wood Product Manufacturing; 32411 Petroleum Refineries; 3251 Basic Chemical Manufacturing; 327 Nonmetallic Mineral Product Manufacturing; 3311 Iron and Steel Mills and Ferroalloy Manufacturing; 3313 Alumina and Aluminum Production and Processing; 3314 Nonferrous Metal (except Aluminum) Production and Processing; 3315 Foundries

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RIN: 2060-AI96

3579. INSPECTION MAINTENANCE PROGRAM REQUIREMENTS FOR FEDERAL FACILITIES; AMENDMENT TO THE FINAL RULE

Priority: Other Significant

Legal Authority: 42 USC 7401 et seq; 23 USC 101

CFR Citation: 40 CFR 51 (revision); 40 CFR 93 (new)

Legal Deadline: None

Abstract: The Environmental Protection Agency (EPA) has had oversight and policy development authority for Inspection and Maintenance (I/M) programs since the passage of the Clean Air Act (CAA) in 1970. The 1977 amendments to the CAA mandated I/M for certain areas with long-term air quality problems and the 1990 amendments set forth standards for implementation of I/M programs. EPA used the statutory requirements of the Act, including I/M requirements for Federal facilities, to

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promulgate regulations which States would use in the development of their I/M State Implementation Plans (SIPs). Those rule requirements effectively gave states certain authorities over the Federal government. The Department of Justice has now ruled that Federal sovereign immunity was not fully waived under the CAA for those requirements and EPA should amend its rule to remove the requirement that states include those elements in their SIPs. EPA is proposing to: (1) Amend the Federal facilities I/M requirements by removing that section; (2) correct existing I/M SIP approval actions which include these elements; (3) establish new Federal facilities I/M program requirements which Federal Facilities in I/M program areas must meet in order to comply with the Act; (4) designate for each State which section of the Act Federal agencies must comply with based on how that State promulgated its I/M regulations. These changes will have minimal to no impact on the states as no new requirements are being created. The States are under no obligation, legal or otherwise, to modify existing SIPs meeting the previously applicable requirements as a result of this action, nor will emissions reduction credit be affected. However, the changes will clarify for affected Federal facilities what they must do to meet the CAA requirements by establishing new regulations per those requirements.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No

Government Levels Affected: Federal, State

Additional Information: SAN No. 4348

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RIN: 2060-AI97

**3580. CONTROL OF METHYL
TERTIARY BUTYL ETHER (MTBE)**

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: EPA is considering taking action to control the use of Methyl Tertiary Butyl Ether (MTBE), which is an organic compound that is primarily used as a fuel additive in gasoline. MTBE has been used to meet the oxygen requirement established by the Federal Reformulated Gasoline Program (RFG) established by the 1990 amendments to the Clean Air Act (CAA). Over 85 percent of reformulated gasoline contains MTBE. EPA is concerned that the widespread use of MTBE may have resulted in the contamination of groundwater and drinking water supplies, threatening their future use. While current detections levels are generally believed to be below levels that may cause public health concerns, low level MTBE contamination may render water unpotable due to offensive taste and odor. In November 1998, EPA established a Blue Ribbon Panel to investigate air quality benefits and water quality concerns associated with oxygenates, including MTBE, in gasoline, and to provide independent advice and recommendations on ways to maintain air quality while protecting water quality. In September 1999, the panel recommended that the use of MTBE be substantially reduced. EPA is now evaluating the Blue Ribbon Panel's recommendations, and has conducted a preliminary review of authorities available to address risks associated with MTBE. EPA intends to issue an Advance Notice of Proposed Rulemaking to inform the public of this preliminary inquiry, and to solicit public comment on possible regulatory action.

Timetable:

Action	Date	FR Cite
ANPRM	03/24/00	65 FR 16094
NPRM	11/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Undetermined

Additional Information: SAN No. 4393

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RIN: 2060-AJ00

**3581. NESHAP: TACONITE IRON ORE
PROCESSING INDUSTRY**

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 7412 CAA 112

CFR Citation: Not Yet Determined

Legal Deadline: Final, Statutory,
November 15, 2000.

Abstract: The taconite iron ore processing source category is comprised of nine facilities operating in the United States. Seven facilities are located in Minnesota and two are located in Michigan. The expected sources of HAP emissions for this source category include: fossil fuel combustion sources, and possibly the handling and transfer of mined ore containing naturally occurring inorganic compounds. Anticipated HAP emissions released from these sources primarily include: formaldehyde, manganese, nickel, arsenic, and chromium. The quantities of HAP released are expected to exceed major source levels.

Timetable:

Action	Date	FR Cite
NPRM	03/00/01	
Final Rule	03/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: SAN No. 4380

There are nine taconite processing facilities in the U.S.; seven are located in Minnesota and two are located in Michigan. The MACT standard for this industry group will be shared between EPA and the State of Minnesota. State regulations currently in place include both air emissions limitations and

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Timetable:

Action	Date	FR Cite
NPRM	11/00/00	
Final Rule	04/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal, State, Local, Tribal**Additional Information:** SAN No. 4390

See also SAN 3259

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RIN: 2060-AJ14

3584. • RULEMAKING FOR PURPOSES OF REDUCING INTERSTATE OZONE TRANSPORT: RESPONSE TO MARCH 3, 2000 DECISION OF THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

Priority: Other Significant**Legal Authority:** 42 USC 7410(a)(2)(D); 7410(k)(5)**CFR Citation:** 40 CFR 51 (Revision)**Legal Deadline:** None

Abstract: On October 27, 1998 (63 FR 57355), EPA issued a rule to reduce smog in the eastern half of the country. The rule required 22 States and the District of Columbia to reduce emissions of nitrogen oxides (NO_x), which reacts with other chemicals in the atmosphere to form smog. EPA required these reductions because pollution from each of these States was transported by the wind and significantly contributed to unhealthy air quality in downwind States. In response to litigation from several parties on the NO_x SIP call, the United States Court of Appeals for the District of Columbia issued a decision on March 3, 2000, making it clear that EPA and States can and should move forward to implement this regional strategy. The ruling remanded certain relatively minor portions of the original rule back to the EPA. This rulemaking covers the portion of the rule associated with the remanded issues: certain cogeneration units, internal combustion

engines, the partial State requirements for Georgia and Missouri and the exclusion of Wisconsin. In this rulemaking, EPA will consider the partial State issue for Alabama and Michigan as well.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	12/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Undetermined**Additional Information:** SAN No. 4433

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RIN: 2060-AJ16

3585. • NESHAP FOR FRICTION PRODUCTS MANUFACTURING INDUSTRY

Priority: Substantive, Nonsignificant**Legal Authority:** 42 USC 7412**CFR Citation:** 40 CFR 63**Legal Deadline:** Final, Statutory, November 15, 2000.

Abstract: This action will propose National Emission Standards for Hazardous Air Pollutants (NESHAP) for friction products manufacturing in order to comply with the Clean Air Act of 1990 (CAA). The friction products source category includes any facility that manufactures friction products such as automobile brakes, brake pads, disk pads, and clutch pads. Hazardous air pollutants (HAP) are emitted from solvents and resins used in the manufacturing of the friction material. It is expected that the rule will result in an 80 percent reduction in HAP emissions from this industry.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	
Final Rule	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** SAN No. 4460

Sectors Affected: 3363 Motor Vehicle Parts Manufacturing; 3364 Aerospace Product and Parts Manufacturing; 3369 Other Transportation Equipment Manufacturing

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RIN: 2060-AJ18

3586. • NESHAP FOR FLEXIBLE POLYURETHANE FOAM FABRICATION OPERATIONS

Priority: Substantive, Nonsignificant**Legal Authority:** 41 USC 7401 et seq**CFR Citation:** 40 CFR 63 (Revision)**Legal Deadline:** Final, Statutory, November 15, 2000.

Abstract: The Clean Air Act (CAA) requires development of emission standards for major sources emitting any of the hazardous air pollutants (HAP) listed in section 112(b) of the CAA. Flexible Polyurethane Foam Fabrication Operations was listed as a category of major sources based on previous emission information of methylene chloride HAP. This source category covers emissions from various polyurethane foam bonding operations, including foam gluing and flame lamination. Subsequent information reveals that the use of methylene chloride has been substantially reduced due to OSHA regulations. Therefore, no major sources of HAP are anticipated in this source category. This action will explore whether there are any major sources in this source category and develop a MACT standard if it still

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proves to be necessary. If no major sources are confirmed, then the action will be to explore possible ways of delisting this source category.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	
Final Action	05/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal, State, Local

Additional Information: SAN No. 4449

Sectors Affected: 326199 All Other Plastics Product Manufacturing; 326299 All Other Rubber Product Manufacturing

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RIN: 2060-AJ19

3587. • RULEMAKINGS FOR THE PURPOSE OF REDUCING INTERSTATE OZONE TRANSPORT

Regulatory Plan: This entry is Seq. No. 119 in Part II of this issue of the Federal Register.

RIN: 2060-AJ20

3588. • PETITIONS TO DELIST SOURCE CATEGORIES FROM THE SOURCE CATEGORY LIST, DEVELOPED PURSUANT TO SECTION 112(C) OF THE CLEAN AIR ACT

Priority: Routine and Frequent

Unfunded Mandates: Undetermined

Legal Authority: Not Yet Determined

CFR Citation: Not Yet Determined

Legal Deadline: NPRM, Statutory, April 21, 2000.

Abstract: The EPA has received 1 petition to remove a SC (2-Piece Can Manufacturing) from the SC List

developed pursuant to section 112(c) of the Clean Air Act (CAA). The most current SC List was published on November 18, 1999 (64 FR 63025).

Section 112(c)(9), which provides the legislative authority and guidelines for such actions, states that the Administrator may delete a SC from the list under section 112(c), on petition of any person or on the Administrator's own motion, whenever the Administrator determines that no source in the category emits hazardous air pollutants (HAPs) in quantities which may cause a lifetime risk of cancer greater than one in 1 million to the individual in the population who is most exposed and that emissions from no source in the category exceed a level which is adequate to protect public health with an ample margin of safety and that no adverse environmental effect will result. As of January 31, 2000, one petition to delist a SC has been received. It contains information on HAP emissions, exposures, health effects, human risks, and potential ecological concerns as well as the petitioner's explanation why the 2-Piece Can Manufacturing should be removed from the SC List. The EPA will conduct a comprehensive review of the petition received then decide whether to grant or deny the petition. Section 112(c)(9) requires that within 12 months of receipt of a petition, the Administrator shall either grant or deny the petition by publishing a written explanation of the reasons for the Administrator's decision.

Timetable:

Action	Date	FR Cite
NPRM - Denial May Instead Be Published	01/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Additional Information: SAN No. 4415

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RIN: 2060-AJ23

3589. • REVISION TO THE SOURCE CATEGORY LISTING FOR SECTION 112(D)(2) RULEMAKING PURSUANT TO SECTION 112(C)(6) REQUIREMENTS.

Priority: Routine and Frequent

Legal Authority: Not Yet Determined

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This action revises information regarding the list of source categories for regulation under 112(d) of the Clean Air Act (Act). This action is being taken pursuant to 112(c)(6) of the Act regarding the identification of sources for which additional standards under section 112(d)(2) or (d)(4) can be developed. The Environmental Protection Agency (EPA) is proposing a change to the Source Category Listing Pursuant to Section 112(c)(6) Requirements published in the Federal Register April 10, 1998, which identified source categories considered for additional regulation under 112(d)(2) or (d)(4). The publication of the list on April 10, 1998, also stated that these source categories would be further evaluated as to emissions and controls in identifying any additional regulatory requirements. This revision to Table 1 is based on the additional emission analysis associated only with the Rubber Tire Manufacturing (listed as Tire Production) and the potential emissions of Hexachlorobenzene (HCB). This action revises Table 1 of Federal Register publication Vol. 63, No. 69, 17848 for the Tire Production source category by deleting emissions of HCB associated with the source category. There are no costs or HAP emission impacts associated with this corrective action.

Timetable:

Action	Date	FR Cite
Notice	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Tribal

Additional Information: SAN No. 4416

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RIN: 2060-AJ24

3590. • REVISING REGULATIONS ON AMBIENT AIR QUALITY MONITORING

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 58 (Revision); 40
CFR 53 (Revision); 40 CFR 50
(Revision)

Legal Deadline: None

Abstract: Air pollution control authorities use air quality data to determine compliance with the National Ambient Air Quality Standards and in subsequent work to develop air pollution mitigation strategies. The data come primarily from ambient air monitoring stations run by State and local agencies, although Federal, tribal, and industrial organizations also run stations. The design of the monitoring networks is regulated under 40 CFR 58. This rule was originally written in 1979 and several revisions have been made in the intervening years. Air pollution control authorities have improved their parts of the network in response to changes in air quality, advances in the understanding of the movements and health effects of air pollutants, and developments in air pollution measurement technology. EPA has also cooperated with air pollution control authorities to improve the networks, but we have not revised the applicable regulations comprehensively. The proposed revisions would remove real or perceived constraints on redeploying air monitoring stations; more accurately reflect the roles of EPA and other control authorities in designing, reviewing, and modifying networks; bring provisions related to quality assurance up to date; and recognize technological changes. The current regulations require states to develop plans to deploy air monitoring

networks, but they do not emphasize administering the networks. States generally develop new plans only when new monitoring is needed, such as for a new NAAQS. The regulations should be revised to reflect the roles of EPA and the State and local agencies.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	
Final Action	04/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Governmental
Jurisdictions

Government Levels Affected: State,
Local, Tribal

Additional Information: SAN No. 4421

Sectors Affected: 334519 Other
Measuring and Controlling Device
Manufacturing; 92411 Air and Water
Resource and Solid Waste Management

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RIN: 2060-AJ25

3591. • CLARIFICATION TO EXISTING PART 63 NESHAP DELEGATIONS' PROVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: 40 CFR part 63 contains OAR's air-toxics emissions regulations, often referred to as "MACT" rules or "NESHAPS." We are revising some part 63 standards to reflect changes in delegation provisions. We are also revising some sections in the part 63 regulations to clarify what are standards and what are compliance assurance measures. The benefits of the changes will include clarifying what authorities in each standard can be delegated to State and local air pollution control agencies and meshing

the standards with revisions previously made to other part 63 regulations.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	10/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal,
State, Local, Tribal

Additional Information: SAN No. 4426

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RIN: 2060-AJ26

3592. • PROTECTION OF STRATOSPHERIC OZONE: PHASEOUT OF CHLOROBROMOMETHANE (HALON 1011) PRODUCTION AND CONSUMPTION

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

CFR Citation: Not Yet Determined

Legal Deadline: Final, Statutory,
December 31, 2001, See additional
information.

Abstract: Section 602 of the Clean Air Act (Act) requires the EPA Administrator to list substances which the Administrator finds to cause or contribute to harmful effects on stratospheric ozone, and Sections 604 and 605 require the Administrator to promulgate regulations phasing out the production and limiting the use of such substances. The proposed regulation will list and phase out the production of chlorobromomethane (CBM), an ozone depleting substance (ODS). In late 1999, the Montreal Protocol was amended to add CBM to the list of substances controlled by this international agreement, to which the United States is a signatory. Section 614 of the Act requires that U.S. stratospheric protection regulations be

EPA—Clean Air Act (CAA)

Proposed Rule Stage

harmonized with (or more stringent than) the provisions of the Montreal Protocol. Entities that will be affected by this regulation include producers of CBM; a segment of the explosion protection industry (manufacturers and distributors of CBM explosion protection systems); and end-users of such systems. Preliminary estimates suggest that domestic production of CBM is limited; some import of CBM occurs, and would be prohibited by this action. Preliminary evaluation suggests that very limited use of CBM for other purposes (e.g., as a solvent) occurs. CBM has also been used as a feedstock in the manufacture of a biocide; today's action will not affect this use. Because the Act allows for certain exceptions to ODS phaseouts for explosion protection applications when suitable alternatives can not be found, and since today's action only affects the use, and not the production (i.e., does not affect use of existing inventories or stockpiles of CBM), and since a two-year lead time has been provided since the decision to phase out CBM and the phaseout date, it is believed that the phaseout of CBM will have limited economic and small business impacts.

Timetable:

Action	Date	FR Cite
NPRM	02/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** SAN No. 4428

Statutory Legal Description: The Montreal Protocol as amended (1999) requires CBM to be phased out beginning 1/1/02. Therefore the U.S. must issue a final rule by 12/31/01.

Sectors Affected: 115114 Postharvest Crop Activities (except Cotton Ginning); 3112 Grain and Oilseed Milling; 322 Paper Manufacturing; 325 Chemical Manufacturing; 3333 Commercial and Service Industry Machinery Manufacturing

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RIN: 2060-AJ27**3593. • FEDERAL PLAN FOR COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS****Priority:** Substantive, Nonsignificant

Legal Authority: 1990 Amendments to the Clean Air Act sections 111; 1990 Amendments to the Clean Air Act sections 129; 1990 Amendments to the Clean Air Act sections 301(a)(d)

CFR Citation: 40 CFR 62

Legal Deadline: Final, Statutory, November 30, 2002, Section 129 (b)(3) of the CAA.

Abstract: The Clean Air Act Amendments of 1990 directed the Environmental Protection Agency (EPA) to set emission guidelines for existing incinerators combusting commercial or industrial waste under sections 111 and 129. In 1997, EPA entered into a settlement agreement with the Sierra Club in which EPA agreed to propose regulations for Commercial and Industrial Solid Waste Incineration (CISWI) by November 1999 and finalize regulations for CISWI by November 2000. Proposed regulations were published on November 30, 1999 (see 64 FR 67092). In accordance with section 129, any State with affected sources must submit a State plan by November 30, 2001 describing how the State will implement the emission guidelines for existing CISWI. Section 129 requires the Administrator to develop and implement a Federal plan for existing CISWI units located in any State which has not submitted an approvable plan within 2 years of promulgation of the emissions guidelines. In this CISWI Federal plan rulemaking, EPA becomes the implementing authority in those instances where the State or local agency has failed to submit a plan or a plan has not yet been approved. Therefore, consistent with section 129(b)(3) of the Act, EPA is proposing a plan that applies to CISWI in any State, tribe or locale that has not submitted an approvable plan within the time allotted. This action makes no changes to the requirements in the rule, and is intended to fulfill EPA's duty under section 129(b)(3) to promulgate a Federal plan as a gap-filling measure until the State fulfills its statutory obligations. When the State submits an approvable State Plan, the Federal plan will no longer apply to units in that State.

Timetable:

Action	Date	FR Cite
NPRM	01/00/01	
Final Action	01/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** Federal, State**Additional Information:** SAN No. 4441

Sectors Affected: 321 Wood Product Manufacturing; 325 Chemical Manufacturing

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RIN: 2060-AJ28**3594. • REVISIONS TO PART 97 FEDERAL NOX BUDGET TRADING PROGRAM ALLOWANCE ALLOCATION METHOD AND PART 75 OUTPUT AND EMISSIONS MONITORING PROVISIONS****Priority:** Substantive, Nonsignificant

Legal Authority: 42 USC 7601; 42 USC 7651 et seq; 42 USC 7401; 42 USC 7403; 42 USC 7426

CFR Citation: 40 CFR 75 (Revision); 40 CFR 97 (Revision)

Legal Deadline: None

Abstract: This rulemaking package will propose two types of modifications to the Code of Federal Regulations: revisions to parts 72 and 75 related to the existing Acid Rain Program; and, revisions to part 75 and part 97 that are associated with the implementation of the Federal NOx Budget Trading Program.

The proposed revisions to parts 72 and 75 pertaining to the Acid Rain Program will improve the program's efficiency and effectiveness. These revisions include technical corrections and clarifications to the monitoring procedures that will improve quality of the SO₂ and NO_x emissions data. Some reporting requirements will be modified to broaden and improve electronic reporting provisions in order to reduce industry burden and facilitate better data management within the Agency.

EPA—Clean Air Act (CAA)

Proposed Rule Stage

In support of the Federal NO_x Budget Trading Program, EPA will propose revisions to parts 72, 75, and 97. Parts 72 and 75 will be modified to introduce procedural requirements for the monitoring and reporting of output (i.e., electricity, steam, or heated water) for electric generating units. The proposed revisions to part 97 will satisfy a commitment the Agency made in the January 18, 2000, final section 126 rule to use output for updating NO_x allowance allocations. Our analysis predicts that updating allocations based on output will reduce air pollution nationwide and will result in more efficient electricity generation.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	
Final Action	08/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** SAN No. 4448**Sectors Affected:** 221111 Hydroelectric Power Generation**Agency Contact:** Sam Waltzer, Environmental Protection Agency, Air and Radiation, 6204J, Washington, DC 20460

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RIN: 2060-AJ30**3595. • GUIDELINES FOR BEST AVAILABLE RETROFIT TECHNOLOGY (BART)****Priority:** Other Significant**Legal Authority:** 42 USC 7410; 42 USC 7414; 42 USC 7421; 42 USC 7470-7479; 42 USC 7491; 42 USC 7492; 42 USC 7601; 42 USC 7602**CFR Citation:** 40 CFR 51.308(e)(1); 40 CFR 51 Appendix Y (New)**Legal Deadline:** None**Abstract:** To meet the Clean Air Act's requirements, final regional haze regulations were published in the

Federal Register on July 1, 1999 (64 FR 35714). These regulations include, in section 51.308(e), a requirement for best available retrofit technology (BART) for certain types of existing stationary sources of air pollutants. In the preamble to regional haze rule, we committed to issuing further guidelines to clarify the BART requirements. The purpose of this rulemaking is to provide those BART guidelines.

Timetable:

Action	Date	FR Cite
NPRM	01/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** State**Additional Information:** SAN No. 4450**Agency Contact:** Rich Damberg, Environmental Protection Agency, Air and Radiation, Mail Drop 15

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RIN: 2060-AJ31**3596. • STRATOSPHERIC OZONE PROTECTION: ALLOCATION OF ESSENTIAL USE ALLOWANCES FOR CALENDAR YEAR 2001****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7414; 42 USC 7601; 42 USC 7671 to 7671q**CFR Citation:** 40 CFR 82.4**Legal Deadline:** None

Abstract: This rule implements exemptions in the Clean Air Act to the ban on import and production of class I ozone depleting substances (ODS) as consistent with the Montreal Protocol. The rule allocates specific amounts of class I ODSs for uses considered to be "essential" by both the Parties to the Montreal Protocol. The chemicals allocated to companies in this rulemaking are chlorofluorocarbons (CFCs) for use in the manufacture of metered dose inhalers (MDIs) used to treat asthma, and methyl chloroform for use in the solid rocket motors of the Space Shuttle and Titan Rockets. The

amount of chemical for these essential uses has already been approved at the international level by the Parties to the Montreal Protocol. The pharmaceutical industry relies on EPA to publish this annual rule by the end of each year. This enables companies to replenish their supply of CFCs and continue to produce lifesaving asthma medications.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** SAN No. 4456**Agency Contact:** Erin Birgfeld, Environmental Protection Agency, Air and Radiation, 6205J, Washington, DC 20460

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RIN: 2060-AJ33**3597. • NESHAP: PESTICIDES ACTIVE INGREDIENTS—AMENDMENTS****Priority:** Other Significant**Legal Authority:** 42 USC 7412 CAA sec 112**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: On June 23, 1999, EPA promulgated the NESHAP for Pesticide Active Ingredient Production (Production of Agricultural Chemicals). Subsequently, a petition was filed on this rule, and EPA received the list of issues filed with the court. There are four separate, but related petitions. Major issues include applicability determination for creosote producers, control requirements for "left-over" vents, averaging period, and wastewater applicability cutoffs. This amendment will address these issues.

Timetable:

Action	Date	FR Cite
NPRM	02/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** SAN No. 4457

EPA—Clean Air Act (CAA)

Proposed Rule Stage

Split from RIN 2060-AE84.

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RIN: 2060-AJ34

3598. • NATIONAL AIR TOXICS PROGRAM: INTEGRATED STRATEGY, REPORT TO CONGRESS

Priority: Other Significant

Legal Authority: 42 USC 7412(k) CAA
sec 112(k); 42 USC 7412(c)(3) CAA sec
112(c)(3)

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This is a congressionally
required report to Congress outlining
EPA's approach to addressing risks to
the public from toxic substances
emitted into the air.

Timetable:

Action	Date	FR Cite
Notice	11/00/00	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4468

Split from RIN 2060-AH21.

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RIN: 2060-AJ38

3599. • PROJECT XL SITE-SPECIFIC RULEMAKING FOR GEORGIA-PACIFIC CORPORATION'S FACILITY IN BIG ISLAND, VIRGINIA

Priority: Substantive, Nonsignificant

Reinventing Government: This
rulemaking is part of the Reinventing
Government effort. It will revise text in
the CFR to reduce burden or
duplication, or streamline
requirements.

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63 (Revision)

Legal Deadline: None

Abstract: Under the Project XL
program, the EPA is supporting a
project for the Georgia-Pacific
Corporation facility located in Big
Island, Virginia. The EPA is
promulgating this rule, applicable only
to the Georgia-Pacific Big Island
facility, to help implement the project.
Under the XL project, Georgia-Pacific
will install and operate the first
commercial scale black liquor
gasification system in the United States.
This system will provide superior air
emissions reductions and energy
benefits compared to use of
conventional recovery technology for
black liquor in the pulp and paper
industry. However, since this will be
the first commercial scale
demonstration of this technology, there
is some risk that the technology will
take longer than planned to work
properly or may not ever work
properly. If either of these scenarios
happens, Georgia-Pacific requires relief
from otherwise applicable air emission
standards to allow time for the new
technology to achieve expected
performance or, in the event of failure,
to allow time for Georgia-Pacific to
build conventional recovery technology
that will meet applicable standards.
Without this relief, Georgia-Pacific
would not undertake commercialization
of this promising technology. Therefore,
this rule provides relief (in the form
of limited duration compliance
extensions) from otherwise applicable
hazardous air pollutant emission
standards, as needed during the
conduct of the XL project. The specific
standard amended by this rule is:
"Standards for Hazardous Air
Pollutants From Chemical Recovery
Combustion Sources at Kraft, Soda,
Sulfate, and Stand-Alone Semichemical
Pulp Mills."

Timetable:

Action	Date	FR Cite
NPRM - Proposed Amendments to 40 CFR 63.861, 63.863, 63.866, & 63.867	12/00/00	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4471

Sectors Affected: 32211 Pulp Mills;
32211 Pulp Mills

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RIN: 2060-AJ39

3600. • AMENDMENTS TO NESHA: OFF-SITE WASTE AND RECOVERY OPERATIONS

Priority: Other Significant

Legal Authority: 42 USC 7412, Clean
Air Act sec 112

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: This rule (formerly titled
Solid Waste Treatment, Storage, and
Disposal Facilities) will specify
maximum achievable control
technology (MACT) for facilities that
treat, store, dispose of, recycle, recover
and/or refine waste and recoverable
materials received from off-site. These
facilities include commercial waste
treatment facilities, used oil refining,
solvent recovery plants, and waste
transfer stations.

Timetable:

Action	Date	FR Cite
NPRM	10/13/94	59 FR 51913
Final Action	07/01/96	61 FR 34140
NPRM Amendment	07/20/99	64 FR 38993
Direct Final Rule	07/20/99	64 FR 38950
NPRM	10/00/00	

**Regulatory Flexibility Analysis
Required:** Undetermined

EPA—Clean Air Act (CAA)

Proposed Rule Stage

Small Entities Affected: No**Government Levels Affected:** None**Additional Information:** SAN No. 4336**Agency Contact:** Elaine Manning,
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RIN: 2060-AJ40**Environmental Protection Agency (EPA)
Clean Air Act (CAA)**

Final Rule Stage

**3601. • SOURCE SPECIFIC FEDERAL
IMPLEMENTATION PLAN FOR
NAVAJO GENERATING STATION;
FOUR CORNERS POWER PLANT****Priority:** Other Significant**Legal Authority:** 42 USC 1740**CFR Citation:** 40 CFR 60**Legal Deadline:** None

Abstract: EPA proposes to federalize standards from the Arizona and New Mexico State Implementation Plans (SIPS) applicable to the Four Corners Plant, respectively. Where necessary, EPA's proposed emission standards modify the standards extracted from the States' regulatory programs to ensure comprehensive emission control and Federal consistency.

Timetable:

Action	Date	FR Cite
NPRM	09/08/99	64 FR 48731
Final Action	10/00/00	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined**Additional Information:** SAN No. 3569NPRM-
<http://www.epa.gov/fedrgstr/EPA->AIR/1999/September/Day-
08/a23277.htm.

Formerly listed as RIN 2060-AF42

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Phone: 520 498-0118**RIN:** 2009-AA01**3602. NSPS: SYNTHETIC ORGANIC
CHEMICALS MANUFACTURING
INDUSTRY - WASTEWATER (FINAL)
AND AMEND. TO APPENDIX C OF
PART 63 AND APPENDIX J OF PART
60****Priority:** Other Significant**Legal Authority:** CAAA**CFR Citation:** 40 CFR 60**Legal Deadline:** None

Abstract: This rule will develop a new source performance standard to control air emissions of volatile organic compounds from wastewater treatment operations of the synthetic chemical manufacturing industry.

Timetable:

Action	Date	FR Cite
NPRM	09/12/94	59 FR 46780
First Supplemental NPRM	10/11/95	60 FR 52889
Second Supplemental NPRM - Appendix J to Part 60	12/09/98	63 FR 67988
Final Action	03/00/01	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** SAN No. 3380Supp NPRM-2nd-
<http://www.epa.gov/fedrgstr/EPA->AIR/1998/December/Day-
09/a28472a.htm**Sectors Affected:** 3251 Basic Chemical
Manufacturing**Agency Contact:** Mary Tom Kissell,
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RIN: 2060-AE94**3603. NESHAP: PETROLEUM
REFINERIES; CATALYTIC CRACKING
UNITS, CATALYTIC REFORMING
UNITS AND SULFUR RECOVERY
UNITS****Priority:** Other Significant**Legal Authority:** 42 USC 7401 et seq;
PL 101-549 104 Stat. 2399**CFR Citation:** 40 CFR 63**Legal Deadline:** Final, Statutory,
November 15, 2000.

Abstract: Title III of the Clean Air Act Amendments of 1990 requires EPA to develop national emission standards for hazardous air pollutants (NESHAPs). EPA promulgated NESHAP rules for petroleum refineries on August 18, 1995 (RIN 2060-AD94). This action covers three process vents not covered under RIN 2060-AD94. These are the catalyst regeneration vents from fluid catalytic cracking units (FCCU) and catalytic reformers and the tail gas vents from sulfur recovery plants.

Timetable:

Action	Date	FR Cite
NPRM	09/11/98	63 FR 48889
Final Action	10/00/00	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** SAN No. 3549NPRM-
<http://www.epa.gov/fedrgstr/EPA->
AIR/1998/September/Day-
11/a23508.htm**Sectors Affected:** 32411 Petroleum
Refineries**Agency Contact:** Bob Lucas,
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EPA—Clean Air Act (CAA)

Final Rule Stage

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RIN: 2060-AF28

**3604. IMPLEMENTATION OF OZONE
AND PARTICULATE MATTER (PM)
NATIONAL AMBIENT AIR QUALITY
STANDARDS (NAAQS) AND
REGIONAL HAZE REGULATIONS**

Regulatory Plan: This entry is Seq. No.
133 in Part II of this issue of the
Federal Register.

RIN: 2060-AF34

**3605. METHODS FOR MEASUREMENT
OF VISIBLE EMISSIONS—ADDITION
OF METHODS 203A, 203B, AND 203C
TO APPENDIX M OF PART 51**

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401(b)(1); 42
USC 7410; 42 USC 7470 to 7479; 42
USC 7501 to 7508; 42 USC 7601(a)

CFR Citation: 40 CFR 51

Legal Deadline: None

Abstract: This rulemaking adds Test
Methods 203A, 203B, and 203C to 40
CFR part 51, appendix M (entitled
Example Test Methods for State
Implementation Plans). These methods
describe procedures for estimating the
opacity of visible emissions. States
have requested that EPA promulgate
these methods so that they can use
them in State Implementation Plans in
enforcing visible emissions regulations
from Stationary Sources.

Timetable:

Action	Date	FR Cite
NPRM	11/22/93	58 FR 61639
Final Action	06/00/01	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 2915

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RIN: 2060-AF83

**3606. ENVIRONMENTAL RADIATION
PROTECTION STANDARDS FOR
YUCCA MOUNTAIN, NEVADA**

Regulatory Plan: This entry is Seq. No.
134 in Part II of this issue of the
Federal Register.

RIN: 2060-AG14

**3607. AMENDMENTS FOR TESTING
AND MONITORING PROVISIONS TO
PART 60, PART 61, AND PART 63**

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401; 42 USC
7410 to 7412; 42 USC 7414; 42 USC
7416

CFR Citation: 40 CFR 60; 40 CFR 61;
40 CFR 63

Legal Deadline: None

Abstract: This rulemaking will amend
the emission test methods and
performance specifications in
appendices A and B of part 60,
appendix B of part 61, and appendix
A of part 63 by revising the method
format to conform with Environmental
Monitoring Management Council
(EMMC) guidelines. Conformance to the
guidelines will promote consistency
among inter-program methods. In
addition, minor technical and printing
errors in the methods will be corrected.
Similar errors in various subparts of
part 60 will also be corrected.
Performance specification 15 is also
being proposed in this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	08/27/97	62 FR 45369
Final Action	10/00/00	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3743

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RIN: 2060-AG21

**3608. CONSOLIDATED FEDERAL AIR
RULE FOR THE SYNTHETIC ORGANIC
CHEMICAL MANUFACTURING
INDUSTRY**

Regulatory Plan: This entry is Seq. No.
135 in Part II of this issue of the
Federal Register.

RIN: 2060-AG28

**3609. ADDITION OF METHOD 207 TO
APPENDIX M OF 40 CFR PART 51
METHOD FOR MEASURING
ISOCYANATES IN STATIONARY
SOURCE EMISSIONS**

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7410

CFR Citation: 40 CFR 51

Legal Deadline: None

Abstract: The Clean Air Act
Amendments of 1990 listed certain
isocyanate compounds as hazardous air
pollutants (HAPs). The Agency does
not have any published test methods
that would measure air emissions of
these isocyanate compounds from
stationary sources. This action would
add a validated test method to measure
isocyanate emissions to appendix M of
part 51. Test methods in part 51 can
be adopted by any State for use in any
regulation that requires the
measurement of any of the isocyanate
compounds on the HAP list. This
action would not impose any new
regulatory requirements that do not
already exist. It should benefit State
governments by providing them with a
validated test procedure for measuring
the emissions of isocyanate
compounds.

Timetable:

Action	Date	FR Cite
NPRM	12/08/97	62 FR 64532
Final Action	01/00/01	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3900

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EPA—Clean Air Act (CAA)

Final Rule Stage

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 RIN: 2060-AG88

3610. ADDITION OF OPACITY METHOD TO APPENDIX M OF 40 CFR PART 51 (METHOD 203)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7410

CFR Citation: 40 CFR 51

Legal Deadline: None

Abstract: This rulemaking proposes to add a method, Method 203, for the measurement of opacity from stationary sources, to appendix M (Example Test Methods for State Implementation Plans) in 40 CFR part 51. This action provides States with an instrumental test method which can be used in determining, on a continuous basis, compliance with stationary source opacity emission limitations.

Timetable:

Action	Date	FR Cite
NPRM	10/07/92	57 FR 46114
Final Action	06/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal

Additional Information: SAN No. 3958

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 RIN: 2060-AH23

3611. CONSOLIDATED EMISSIONS REPORTING RULE

Priority: Substantive, Nonsignificant

Legal Authority: Clean Air Act Section 110(a)(2)(F)

CFR Citation: 40 CFR 51.321 to 51.323

Legal Deadline: None

Abstract: Three sections of the Clean Air Act and its amendments require State agencies to report emission estimates to EPA. Some of these sections contain obsolete wording, inconsistent instructions, and duplicate

reporting requirements. This rule will consolidate the requirements into one area, eliminate obsolete wording, eliminate duplicate reporting requirements, and provide options for collecting and reporting data. There will be no impact on small businesses. State agencies will report point, area, and mobile source emissions Statewide. State agencies will also report fine particulate matter and its precursors. The rule will provide for flexibility in collecting and reporting data.

Timetable:

Action	Date	FR Cite
NPRM	05/23/00	65 FR 33268
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal

Additional Information: SAN No. 3986

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 RIN: 2060-AH25

3612. EXPANDED DEFINITIONS FOR ALTERNATIVE-FUELED VEHICLES AND ENGINES MEETING LOW-EMISSION VEHICLE EXHAUST EMISSION STANDARDS

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2001; 15 USC 2002; 15 USC 2003; 15 USC 2005; 15 USC 2006; 15 USC 213; 42 USC 7521; 42 USC 7522; 42 USC 7524; 42 USC 7525; 42 USC 7541; 42 USC 7542; 42 USC 7549; 42 USC 7550; 42 USC 7552

CFR Citation: 40 CFR 86; 40 CFR 88

Legal Deadline: None

Abstract: This action will ease the burden of certification for both Original Equipment Manufacturers (OEMs) and after-market conversion entities. This action will, for vehicles and engines meeting LEV emission standards, broaden the definition of the term dedicated fuel system, broaden the criteria for engine families, and provide an exemption from certification fees. This action is not a deregulatory action. This action will provide another means

for small business to remain active entities in supplying alternatively fueled vehicles to the marketplace. The above three changes are intended to reduce the cost of complying with the requirements of certification, and small business will benefit from these changes. This action will enhance the ability for the regulated industry to provide alternatively fueled vehicles to the consumer in support of the Executive Order 13031.

Timetable:

Action	Date	FR Cite
NPRM	07/20/98	63 FR 38767
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4030

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 RIN: 2060-AH52

3613. NESHAP: PULP AND PAPER PRODUCTION; AMENDMENTS TO THE PROMULGATED RULE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401 et seq

CFR Citation: 40 CFR 63.440 to 63.459 (Revision)

Legal Deadline: None

Abstract: The purpose of this action is to clarify sections of the promulgated pulp and paper industry maximum achievable control technology (MACT) standards where commenters have indicated that the wording is confusing or changes are needed. This action will also correct any typographical errors noted. This action will contain guidance and amended rule language.

Timetable:

Action	Date	FR Cite
Final Rule Interpretations and technical amendment	09/16/98	63 FR 49455
Direct Final Rule Amendment	12/28/98	63 FR 71385
NPRM Amendment	12/28/98	63 FR 71408

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Action	Date	FR Cite
Final Action	04/12/99	64 FR 17555

Interpretations and technical amendment		
NPRM Proposed rule amendments and notice of public hearing	01/25/00	65 FR 3907
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** SAN No. 4123NPRM-<http://www.epa.gov/fedrgstr/EPA-AIR/2000/January/Day-25/a1058.htm>**Sectors Affected:** 3221 Pulp, Paper, and Paperboard Mills

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RIN: 2060-AH74

3614. NESHAP: ORGANIC HAZARDOUS AIR POLLUTANTS FROM THE SYNTHETIC ORGANIC CHEMICAL INDUSTRY (SOCMI) & OTHER PROCESSES SUBJECT TO THE NEGOTIATED REGULATION FOR EQUIPMENT LEAKS

Priority: Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 63.100 to 63.152**Legal Deadline:** None

Abstract: The actions will amend the HON that was first promulgated on April 22, 1994, to clarify applicability of process vent requirements. The changes to the rule will clarify the EPA's intent regarding the meaning of the term process vent and address the way these provisions are to be implemented through the permit rule. The need for this action became apparent recently when it was learned

that industry was interpreting the definition more narrowly than we intended, and thus, not identifying all process vents subject to the HON. These amendments will clarify the rule to ensure consistent interpretations of the term process vent while preserving the intended applicability of the requirements. These clarifications will not increase or lower or otherwise affect emissions or environmental protection. Additionally, the actions may clarify additional sections of the HON and correct any typographical errors noted. These actions may contain guidance as well as amended rule language.

Timetable:

Action	Date	FR Cite
NPRM	01/20/00	65 FR 3169
Final Action	11/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** SAN No. 4103

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RIN: 2060-AH81

3615. PHASE I FEDERAL IMPLEMENTATION PLANS (FIPS) TO REDUCE THE REGIONAL TRANSPORT OF OZONE IN THE EASTERN UNITED STATES

Priority: Economically Significant. Major under 5 USC 801.**Unfunded Mandates:** This action may affect State, local or tribal governments and the private sector.**Legal Authority:** 42 USC 7410**CFR Citation:** 40 CFR 52; 40 CFR 97; 40 CFR 98**Legal Deadline:** None**Abstract:** This action would promulgate Federal Implementation

Plans (FIPs) which require nitrogen oxides (NOx) emissions decreases in 19 States and the District of Columbia. The intended effect is to reduce the transport of ozone (smog) pollution and one of its main precursors — NOx — across State boundaries in the eastern half of the United States. On October 27, 1998, EPA published a final rule (NOx SIP Call) which allowed States 12 months to develop, adopt, and submit revisions to their State Implementation Plans (SIPs) to address the transport problem. The Administrator is required to promulgate a FIP within 2 years of: (1) finding that a State has failed to make a required submittal or (2) finding that a submittal is not complete or (3) disapproving a SIP submittal. On May 25, 1999, the 12-month NOx SIP Call deadline was indefinitely stayed by the Court of Appeals for the District of Columbia Circuit. On June 22, 2000, the court lifted the stay and gave States 128 days from that date to submit SIPs. The new SIP submittal date is October 30, 2000. These FIPs will apply to all elements of the NOx SIP call that were not remanded to EPA by the court in May 1999 (Phase I SIPs). The portions of the SIP call that were remanded to EPA will be covered under Phase 2 SIPs and separate FIP actions will be prepared for those.

Timetable:

Action	Date	FR Cite
NPRM	10/21/98	63 FR 56393
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Federal, State, Local**Additional Information:** SAN No. 4096NPRM-<http://www.epa.gov/fedrgstr/EPA-AIR/1998/October/Day-21/a26431.htm>**Sectors Affected:** 221112 Fossil Fuel Electric Power Generation; 325311 Nitrogenous Fertilizer Manufacturing; 32731 Cement Manufacturing; 331111 Iron and Steel Mills

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EPA—Clean Air Act (CAA)

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3616. NESHAP: WET-FORMED FIBERGLASS MAT PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory, November 15, 2000.

Abstract: The CAA required the EPA to publish an initial list of all categories of major and area sources of hazardous air pollutants (HAPs) listed in section 112(b) of the CAA and to establish and meet dates for promulgation of emission standards for each of the listed categories of HAP emissions sources. The wet-formed fiberglass mat production industry is not included in the initial list of categories for standards development but information available to the Administrator suggests that the industry is a major source of HAP emissions and, as such, emission standards shall be developed for this industry. The standards are to be technology-based and are to require the maximum degree of reduction determined to be achievable by the Administrator. The EPA has determined that the wet-formed fiberglass mat production industry may be reasonably expected to emit one of the pollutants listed in section 112(b) of the CAA. The purpose of this action is to pursue a regulatory development program such that emission standards may be promulgated for this industry. Emission standards for this industry were proposed on May 26, 2000.

Timetable:

Action	Date	FR Cite
NPRM	05/26/00	65 FR 34278
Final Action	04/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 4082

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3617. PROTECTION OF STRATOSPHERIC OZONE: RECONSIDERATION ON THE 610 NONESSENTIAL PRODUCTS BAN

Priority: Other Significant

Legal Authority: 42 USC 7414; 42 USC 7601; 42 USC 7671-7671(q)

CFR Citation: 40 CFR 82(C)

Legal Deadline: None

Abstract: This action would propose to extend the current class I and class II bans on the sale and distribution of nonessential uses of ozone-depleting substances where sufficient substitutes are already readily available. As part of the initial 1993 rulemaking, EPA banned the use of ozone-depleting substances in aerosols, pressurized dispensers, and foams where substitutes were available. Since that rulemaking was issued, the phaseout of production and consumption of class I substances has become effective and the Significant New Alternatives Policy (SNAP) Program under section 612 has been promulgated. The phaseout of newly manufactured class I substances and the identification of new acceptable substitutes for both class I and class II applications provide compelling reasons to reconsider the initial decisions regarding both product-specific exemptions and the decision to limit the ban's effect on major sectors that traditionally used ozone-depleting substances. Most domestic manufacturers have already incorporated the non-ozone-depleting substances in their products. The continued availability and use of ozone-depleting substances in parts and products manufactured abroad, which are sold or incorporated into larger products that are then sold into interstate commerce in the United States, negatively affects the competitiveness of domestic manufacturers who use substitute substances in their production.

Therefore, it is appropriate to reconsider the applicability of the class I ban to both specific products and product categories. Amending these requirements would limit the potential use of ozone-depleting substances in applications where substitutes are available and thus, further protect the stratospheric ozone layer.

Timetable:

Action	Date	FR Cite
NPRM	06/14/99	64 FR 21772
Final Action	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 4077

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RIN: 2060-AH99

3618. REVISION TO THE DEFINITION OF VOLATILE ORGANIC COMPOUND (VOC) TO EXCLUDE TERTIARY BUTYL ACETATE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7401-7671q

CFR Citation: 40 CFR 51.100(s)

Legal Deadline: None

Abstract: The definition of VOC is proposed to be revised to add tertiary butyl acetate to the list of negligibly reactive compounds. This is a deregulatory action that will remove tertiary butyl acetate from the necessity to be controlled as a VOC in SIPs for attaining the ozone standard. This is not expected to have a significant impact on small businesses or local governments.

Timetable:

Action	Date	FR Cite
NPRM	09/30/99	64 FR 52731
Final Action	12/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4254

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**3619. REQUIREMENTS FOR
PREPARATION, ADOPTION, AND
SUBMITTAL OF STATE
IMPLEMENTATION PLANS
(GUIDELINE ON AIR QUALITY
MODELS)**

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7410 CAAA
sec 110(a)(2); CAAA sec 165(e); CAAA
sec 172(a); CAAA sec 172(c); 42 USC
7601 CAAA sec 301(a)(1); CAAA sec
320

CFR Citation: 40 CFR 51.112; 40 CFR
51.160; 40 CFR 51.166; 40 CFR 52.21

Legal Deadline: None

Abstract: This action proposes
revisions to the Guideline on Air
Quality Models, published as appendix
W to 40 CFR part 51. Such models are
used to predict ambient concentrations
of pollutants for programs ranging from
Prevention of Significant Deterioration
(PSD) to State Implementation Plans
(SIPs) for controlling air pollution
sources. Appendix W to 40 CFR part
51 fulfills a Clean Air Act mandate for
EPA to specify models for air
management purposes. This proposed
rulemaking enhances appendix W with
new and/or improved techniques.

Timetable:

Action	Date	FR Cite
NPRM	04/21/00	65 FR 21505
Final Action	06/00/01	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3470

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RIN: 2060-AF01

**3620. NESHAP: PHOSPHATE
FERTILIZERS PRODUCTION**

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412 CAAA
sec 112

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory,
November 15, 1997, Clean Air Act
Amendments of 1990.

Abstract: EPA is required to publish
an initial list of all categories of major
and area sources of the hazardous air
pollutants (HAPs) listed in section
112(b) of the CAAA and, to establish
dates for the promulgation of emission
standards for each of the listed
categories of HAP emission sources and
develop emission standards for each
source of HAPs so that the schedule
is met. The standards are to be
technology-based and are to require the
maximum degree of emission reduction
determined to be achievable by the
Administrator. The Agency has
determined that the phosphate fertilizer
production industry emits several of
the 189 HAPs listed in section 112(b)
of the CAAA. The purpose of this
action is to pursue a regulatory
development program that would
ensure that emission standards may be
proposed and promulgated for this
industry.

Timetable:

Action	Date	FR Cite
NPRM	12/27/96	61 FR 68430
Final Action	12/00/00	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: Businesses

Government Levels Affected: Federal,
State

Additional Information: SAN No. 3304

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RIN: 2060-AE44

**3621. NESHAP: PRIMARY COPPER
SMELTING**

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412 CAAA
sec 112

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory,
November 15, 2000.

Abstract: The primary copper smelting
industry is known to emit a number
of the hazardous air pollutants listed
in section 112 of the Clean Air Act.
The industry is comprised of seven
smelters located in four states. All have
extensive control systems for oxides of
sulfur and HAPs. However, fugitive
emissions may cause several smelters
to exceed major source levels.

Timetable:

Action	Date	FR Cite
NPRM	04/20/98	63 FR 19582
NPRM	06/26/00	65 FR 39326
Final Action	11/00/00	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: SAN No. 3340

NPRM-
[http://www.epa.gov/fedrgstr/EPA-](http://www.epa.gov/fedrgstr/EPA-AIR/1998/April/Day-20/a10142.htm)
AIR/1998/April/Day-20/a10142.htm

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RIN: 2060-AE46

**3622. NESHAP: MANUFACTURING OF
NUTRITIONAL YEAST**

Priority: Other Significant

Legal Authority: 42 USC 7412 CAA sec
112(d)

CFR Citation: 40 CFR 63

Legal Deadline: Final, Statutory,
November 15, 2000.

Abstract: Section 112 of the Clean Air
Act requires major sources of hazardous
air pollutants to achieve emission

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reduction based on the maximum achievable control technology (MACT). This regulatory action will establish this level of control for both new and existing sources in the nutritional yeast manufacturing industry. This industry is currently comprised of 10 sources of 5 different manufacturers located in 8 different states. The only known HAP emission from this source is acetaldehyde. It is produced as a by-product during the fermentation process. The final rule set maximum emission limits of acetaldehyde, which will be achievable by improved process control to reduce formation of this by-product.

Timetable:

Action	Date	FR Cite
NPRM	10/10/98	63 FR 55812
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** State**Additional Information:** SAN No. 3550**Sectors Affected:** 311999 All Other Miscellaneous Food Manufacturing

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RIN: 2060-AF30**3623. NESHAP: BOAT MANUFACTURING****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 63**Legal Deadline:** Final, Statutory, November 15, 2000.

Abstract: This action will result in the reduction of hazardous air pollutants emitted by the boat manufacturing industry. This rule will affect the manufacture of fiberglass and aluminum boats. The most abundant

pollutant emitted by this industry is styrene, which is listed as a hazardous air pollutant in the 1990 Clean Air Act. The Agency will study the various hazardous air pollutants emitted by the industry and will evaluate pollution prevention and abatement techniques which can reduce emissions from these pollutants.

Timetable:

Action	Date	FR Cite
NPRM	07/14/00	65 FR 43841
Final Action	04/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** SAN No. 3747**Sectors Affected:** 336611 Ship Building and Repairing; 336612 Boat Building

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RIN: 2060-AG27**3624. REVISIONS TO THE REGULATION FOR APPROVAL OF STATE PROGRAMS AND DELEGATION OF FEDERAL AUTHORITIES 112(L)****Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7412 CAA Sec 112(l)**CFR Citation:** 40 CFR 63(E)**Legal Deadline:** None

Abstract: Guidance in the form of rulemaking is being developed in accordance with the requirements of section 112(l) of the Clean Air Act Amendments of 1990 for the approval

of State air toxic programs and the delegation of Federal authorities to the States for the implementation and enforcement of section 112 emission standards and other requirements. This regulatory document will provide some flexibility to States in the following areas: minimum requirements for EPA approval of State air toxics regulations that are equivalent to or more stringent than the Federal standards and minimum requirements for EPA approval of State air toxics programs that are equivalent to or more stringent than the Federal program. Specific issues that will be addressed include: alternative work practice standards; alternative monitoring, recordkeeping, and reporting; alternative test method approval process; equivalency by permits; and mechanisms and requirements for approval of State air toxics programs. Additionally, the Partial Approval and Delegable Authorities rulemakings will be added to this rulemaking. The Partial Approval language will provide flexibility to States by allowing States to accept delegation of parts of standards. This will allow them to implement and enforce these provisions on a smaller scale. The delegable authorities rulemaking will clarify what authorities EPA has delegated to States when the part 63, subpart A, general provisions have been delegated.

Timetable:

Action	Date	FR Cite
NPRM	01/12/99	64 FR 1880
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** None**Additional Information:** SAN No. 3829

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RIN: 2060-AG60

3625. NESHAP: METAL COIL (SURFACE COATING) INDUSTRY**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 63**Legal Deadline:** NPRM, Statutory, November 15, 2000.

Abstract: This action will result in the reduction of hazardous air pollutants emitted by the metal coil surface coating industry. The Agency will study what pollutants are emitted and evaluate the control techniques, including pollution prevention, that are used to reduce these emissions. The Agency will also determine what, if any, impact the rule would have on small businesses.

Timetable:

Action	Date	FR Cite
NPRM	07/18/00	65 FR 44615
Final Action	07/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

Additional Information: SAN No. 3905

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RIN: 2060-AG97

3626. NESHAP: SOLVENT EXTRACTION FOR VEGETABLE OIL PRODUCTION**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** Not Yet Determined**Legal Deadline:** Final, Statutory, November 15, 2000.

Abstract: This action develops National Emission Standards for Hazardous Air Pollutants (NESHAP) for vegetable oil production facilities as authorized under section 112(d) of the Clean Air Act (Act). The action is based on the determination that vegetable oil production plants emit organic hazardous air pollutants (HAPs) listed in section 112(b) of the Act. On July 16, 1992, EPA listed vegetable oil production as a source for which NESHAP are to be promulgated. On December 3, 1993, EPA published a schedule for promulgating NESHAP for vegetable oil production plants by November 15, 2000. NESHAP developed under section 112(d) apply to both new and existing facilities. NESHAP for existing facilities are to be based on the average emission limitation achieved by the best performing 12 percent of existing sources.

Timetable:

Action	Date	FR Cite
NPRM	05/26/00	65 FR 34252
Final Action	03/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** Federal, State, Local

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

Additional Information: SAN No. 3903

Sectors Affected: 311222 Soybean Processing; 311223 Other Oilseed Processing; 311225 Fats and Oils Refining and Blending; 311225 Fats and Oils Refining and Blending

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RIN: 2060-AH22

3627. NESHAP: GROUP I POLYMERS AND RESINS AND GROUP IV POLYMERS AND RESINS-AMENDMENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 63.480 to 63.506 (Revision); 40 CFR 63.1310 to 63.1335 (Revision)**Legal Deadline:** None

Abstract: During the development of the National Emission Standard for Hazardous Air Pollutants (NESHAP) for elastomers (Group I polymers and resins) and thermoplastics (Group IV polymers and resins) (RINs 2060-AD56 and 2060-AE37), many of the provisions contained in the Hazardous Organic NESHAP (HON) were referenced directly by these polymers and resins regulations due to similarities in processes, emission characteristics, and control technologies. On January 17, 1997, the EPA promulgated changes to the HON to remove ambiguity, to clearly convey EPA intent, and to make the rule easier to understand and implement in response to industry petitions. It is necessary to make parallel changes to the polymers and resins NESHAP; otherwise inconsistencies will exist for NESHAPs regulating similar source categories. An ANPRM was published in the Federal Register on 11/25/96 (61 FR 59849), to explain the nature of changes planned. Subsequently, six litigants have petitioned for review of the elastomers and thermoplastics regulations. Four companies have petitioned EPA to reconsider specific provisions in the thermoplastics regulation. Revisions will be proposed to parallel HON changes and to resolve petitioners' issues. There are no impacts anticipated for small businesses or State/local/tribal governments.

Timetable:

Action	Date	FR Cite
NPRM Petitions for Judicial Review-Prop. Amend.	03/09/99	64 FR 11559
NPRM - Petition for Recons. - Equip. Leaks	06/08/99	64 FR 30453

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Action	Date	FR Cite
NPRM - Petition for Recons. - Equip. Leaks	06/08/99	64 FR 60456
Direct Final Action - Petition for Reconsid.-Equip Leaks	06/08/99	64 FR 30406
Final Action - Petitions for Judicial Rev-Amendments	06/19/00	65 FR 38030
Direct Final Rule - Petition for Recons. - Cooling Towers	10/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** SAN No. 3939**Sectors Affected:** 325211 Plastics Material and Resin Manufacturing

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RIN: 2060-AH47

3628. NEW SOURCE PERFORMANCE STANDARDS AND EMISSION GUIDELINES FOR COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS

Priority: Other Significant**Legal Authority:** CAA sec 129**CFR Citation:** 40 CFR 60

Legal Deadline: NPRM, Judicial, November 15, 1999.
 Final, Judicial, November 15, 2000.

Abstract: Section 129 of the Clean Air Act Amendments requires the Agency to finalize New Source Performance Standards (NSPS) and Emission Guidelines (EG) for Commercial and Industrial Solid Waste Incinerators (CISWIs). Negotiations have been completed with the litigants to grant an extension to the Agency. The Agency agreed to propose standards by

November 1999, and promulgate standards by November 2000.

Timetable:

Action	Date	FR Cite
NPRM	11/30/99	64 FR 67092
Final Action	11/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** None**Additional Information:** SAN No. 3613

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RIN: 2060-AF91

3629. IMPORTATION OF NONCONFORMING VEHICLES; AMENDMENTS TO REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7522 CAA sec 203; 42 USC 7525 CAA sec 206; 42 USC 7541 CAA sec 207; 42 USC 7542 CAA sec 208; 42 USC 7601 CAA sec 301; 42 USC 7522 CAA sec 203; 42 USC 7550 CAA sec 216; 42 USC 7601 CAA sec 301

CFR Citation: 40 CFR 85**Legal Deadline:** None

Abstract: This action will amend the regulations in 40 CFR part 85, subpart P to allow entry into the United States of vehicles which are originally sold in Canada and which are identical to their U.S. counterparts, without obtaining a certificate of conformity from EPA. This action is in response to a petition for review of import rules. The final rule also will address certain other issues in part 85, subpart P and subpart R, including: (1) formalizing a long-standing EPA policy regarding the importation of owned vehicles that are proven to be identical to a vehicle certified for sale in the United States, (2) establishing new emission standards

applicable to imported nonconforming vehicles, (3) clarifying the regulatory language that concerns exclusions and exemptions from meeting Federal emission requirements, and (4) providing several minor clarifications to the existing regulations.

Timetable:

Action	Date	FR Cite
NPRM	03/24/94	59 FR 13912
Supplemental NPRM	02/12/96	61 FR 5840
Final Action	12/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Additional Information:** SAN No. 2665

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RIN: 2060-AI03

3630. PROTECTION OF STRATOSPHERIC OZONE: SUPPLEMENTAL RULE REGARDING A RECYCLING STANDARD UNDER SECTION 608

Priority: Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq CAA sec 608**CFR Citation:** 40 CFR 82(F)**Legal Deadline:** None

Abstract: This rule will amend the recordkeeping aspects of the technician certification program, clarify aspects of a sales restriction, and adopt an updated version of ARI standard 740. The rule will also clarify the distinction between major and non-major repairs and amend several definitions including small appliances. The rule also addresses the transfers of unreclaimed refrigerant between majority-owned and majority-controlled subsidiaries.

Timetable:

Action	Date	FR Cite
NPRM 1	02/29/96	61 FR 7858
NPRM	11/01/96	61 FR 56493
Final Action	10/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal

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Additional Information: SAN No. 3556
Additional SANs 3895, 3896. This rule will address a potential adoption of a more flexible method for cleaning refrigerants for refrigerant transferred between appliances with different ownership with a potential adoption of a 3rd party certification program for labs.

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RIN: 2060-AF36

3631. PROTECTION OF STRATOSPHERIC OZONE: REFRIGERANT RECYCLING RULE AMENDMENT TO INCLUDE SUBSTITUTE REFRIGERANTS

Priority: Other Significant

Legal Authority: 42 USC 7401 et seq; 42 USC 7671(g) CAA sec 608

CFR Citation: 40 CFR 82(F)

Legal Deadline: None

Abstract: This action would facilitate fulfillment of the statutory mandate to apply the venting prohibition to substitute refrigerants. The action would provide regulations covering recovery/recycling equipment, recovery/recycling practices, and applicable certifications that would be required to accomplish compliance with the venting prohibition. Requirements would parallel those of the current section 608 regulations, expanding applicability, where appropriate, to substitute refrigerants.

Timetable:

Action	Date	FR Cite
NPRM	06/11/98	63 FR 32044
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal, State, Local

Additional Information: SAN No. 3560
NPRM- <http://www.epa.gov/fedrgstr/EPA-AIR/1998/June/Day-11/a15003.htm>

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RIN: 2060-AF37

3632. PROTECTION OF STRATOSPHERIC OZONE: INCORPORATION OF CLEAN AIR ACT AMENDMENTS FOR REDUCTIONS IN CLASS I, GROUP VI CONTROLLED SUBSTANCES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7671c

CFR Citation: 40 CFR 82

Legal Deadline: None

Abstract: This rulemaking will establish the remaining phaseout steps for methyl bromide, adjust phaseout data, and establish additional exemptions.

Timetable:

Action	Date	FR Cite
Direct Final Rule	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4271
(OLD TITLE) Protection of Stratospheric Ozone: Additional Steps To Conform U.S. Methyl Bromide Program to Obligations Under the Montreal Protocol and Recent Changes to the CAA

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RIN: 2060-AI41

3633. • SOURCE SPECIFIC FEDERAL IMPLEMENTATION PLAN FOR NAVAJO GENERATING STATION; NAVAJO NATION

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

CFR Citation: 49 CFR 123

Legal Deadline: None

Abstract: EPA proposes to federalize standards from the Arizona and New

Mexico State Implementation Plans (SIPS) applicable to the Navajo generating station. Where necessary, EPA's proposed emission standards modify the standards extracted from the States' regulatory programs to ensure comprehensive emission control and Federal consistency.

Timetable:

Action	Date	FR Cite
NPRM	09/08/99	64 FR 48725
Notice	01/26/00	65 FR 4244
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4315

Formerly listed as RIN 2060-AI79

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RIN: 2009-AA00

3634. NESHAP: CHEMICAL RECOVERY COMBUSTION SOURCES AT KRAFT, SODA, SULFITE AND STAND-ALONE SEMICHEMICAL PULP MILLS

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 7412 CAAA sec 112; 42 USC 7414 CAAA sec 114; 42 USC 7601 CAAA sec 301; 33 USC 1314 CWA sec 304; 33 USC 1316 CWA sec 306-308; 33 USC 1317; 33 USC 1318; 33 USC 1311 CWA sec 301; 33 USC 1361 CWA sec 501

CFR Citation: 40 CFR 63; 40 CFR 430

Legal Deadline: Final, Judicial, December 15, 2000, Court Deadline.

Abstract: The Clean Air Act (CAA) Amendments of 1990 direct the Environmental Protection Agency (EPA) to set National Emission Standards for Hazardous Air Pollutants (NESHAP) for new and existing sources under section 112 and to base these standards on maximum achievable control technology (MACT). The Clean Water Act (CWA) directs EPA to develop

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effluent guidelines for certain categories and classes of point sources. These guidelines are used for setting discharge limits for specific facilities that discharge to surface waters or municipal sewage treatment systems. On April 15, 1998, the EPA promulgated an integrated regulation for the pulp and paper industry that includes both effluent guidelines and air emission standards to control the release of pollutants to both the water and the air. At the same time, the EPA proposed MACT standards for the chemical recovery combustion sources. The regulations were developed jointly to provide greater protection to human health and the environment, to promote the concept of pollution prevention, and to enable the industry to more effectively plan compliance via a multimedia approach. Next steps will be to issue final standards for chemical recovery combustion sources.

Timetable:

Action	Date	FR Cite
NPRM	04/15/98	63 FR 18753
Final Action	12/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 4240

(Air), SAN No. 2712 (Water), SAN No. 4050 (Water Phase II),

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ADDITIONAL AGENCY CONTACT: Elaine Manning (NESHAP Phase III - Nonchemical and other Pulp and Paper Mills)

See also RIN 2040-AB53

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RIN: 2060-AI34

3635. STANDARDS AND GUIDELINES FOR SMALL MUNICIPAL WASTE COMBUSTION UNITS

Priority: Other Significant

Legal Authority: 42 USC 7509 CAA sec 129

CFR Citation: 40 CFR 60

Legal Deadline: None

Abstract: The Clean Air Act Amendments of 1990 direct the Environmental Protection Agency (EPA) to set standards of performance and emission guidelines for new and existing municipal waste combustors under Sections 111 and 129; to base these standards and guidelines on maximum achievable control technology; and to include emission limits for particulate matter, sulfur dioxide, hydrogen chloride, oxides of nitrogen, carbon monoxide, mercury, lead, cadmium, and dioxins and dibenzofurans. The standards for large municipal waste combustors were adopted in 1995. This rule would establish standards for small MWC units.

Timetable:

Action	Date	FR Cite
NPRM	08/30/99	64 FR 47233
Final Action	03/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: None

Additional Information: SAN No. 4243

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RIN: 2060-AI51

3636. REVISION OF SCHEDULE FOR STANDARDS UNDER SECTION 112 OF THE CLEAN AIR ACT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412 Clean Air Act sec 112

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: Section 112 of the Clean Air Act requires the EPA to publish a list of major and area source categories which emit one or more of the hazardous air pollutants listed in section 112. An initial list of source categories was finalized in July 1992 and contained 174 categories. Section 112 further requires the Agency to prioritize the listed categories such that standards are promulgated for 40 source categories within 2 years of enactment, 25 percent of all initially listed categories within 4 years, 50 percent within 7 years, and 100 percent within 10 years. The schedule for the promulgation of emissions standards was published in December 1993. This action revises the list of source categories and the corresponding schedule for emission standards. This is in accordance with the statute, which requires the Agency to periodically amend the list in response to public comment or new information, and no less often than every eight years. The list and the schedule were last updated on November 18, 1999.

Timetable:

Action	Date	FR Cite
Notice	11/18/99	64 FR 63025
Notice	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4284

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RIN: 2060–AI52

3637. CONTROL OF EMISSIONS OF HAZARDOUS POLLUTANTS FROM MOTOR VEHICLES AND MOTOR VEHICLE FUELS**Priority:** Other Significant. Major under 5 USC 801.**Legal Authority:** PL 101-549 sec 202(l)(2)**CFR Citation:** Not Yet Determined**Legal Deadline:** NPRM, Judicial, July 14, 2000, Civil Action No. 95-1747 Sierra Club v. Carol M. Browner. Final, Judicial, December 20, 2000, Civil Action No. 95-1745 Sierra Club v. Carol M. Browner.**Abstract:** This action will: (1) describe the hazardous air pollutants emitted from motor vehicles and motor vehicle fuels; (2) discuss the Agency's existing and planned emission control programs to reduce emissions of these pollutants; and (3) explore the need for additional controls. Any additional control programs will be undertaken and tiered separately from this action.**Timetable:**

Action	Date	FR Cite
NPRM	08/04/00	65 FR 48057
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Federalism:** Undetermined**Additional Information:** SAN No. 4285

NPRM-http://www.epa.gov/fedrgstr/EPA-AIR/2000/August/Day-04/a18640.htm

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RIN: 2060–AI55

3638. NATIONAL EMISSION STANDARDS FOR BENZENE EMISSIONS FROM COKE BYPRODUCT RECOVERY PLANTS (PART 61, SUBPART L)**Priority:** Substantive, Nonsignificant**Legal Authority:** Clean Air Act Section 112**CFR Citation:** 40 CFR 61**Legal Deadline:** None**Abstract:** Coke by-product plants are designed to separate and recover coal tar derivatives (by-products) that evolve from coal during the coking process of a coke oven battery. We plan to remove this source category from the list pursuant to our discretion under 112(c)(4) previously regulated categories.**Timetable:**

Action	Date	FR Cite
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** SAN No. 4286**Agency Contact:** Al Vervaert, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060–AI65

3639. HEAVY-DUTY ENGINE EMISSION STANDARDS AND DIESEL FUEL SULFUR CONTROL REQUIREMENTS**Regulatory Plan:** This entry is Seq. No. 136 in Part II of this issue of the Federal Register.

RIN: 2060–AI69

3640. AMENDMENTS TO THE AEROSPACE MANUFACTURING AND REWORK FACILITIES NESHAP FOR THE HAP AND VOC CONTENT LIMITS FOR PRIMER OPERATIONS AND STAY OF COMPLIANCE**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 63.745(c)(1)-(2)**Legal Deadline:** None**Abstract:** This rule was promulgated on September 1, 1995, with an initial compliance date of September 1, 1998.

EPA granted compliance extensions; however these extensions will expire September 1, 1999. This proposal would stay the compliance date of the substantive and associated compliance assurance requirements for the organic HAP content and VOC content levels for primer applications operations. This proposed stay would remain in effect until the date we amend the rule, at which point we would publish new compliance dates for these requirements. Based on recent information submitted to the us by one of the commercial aircraft manufacturers, expressing significant technical concerns about the ability to achieve the primer coating content standard for commercial exterior primers, we are proposing amendments to the Aerospace National Emissions Standards for Hazardous Air Pollutants (NESHAP) that will change the organic HAP and VOC level content standard related to the use of commercial exterior primers.

Timetable:

Action	Date	FR Cite
NPRM Amendment	01/24/00	65 FR 3642
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal, State, Local**Additional Information:** SAN No. 4353**Sectors Affected:** 336411 Aircraft Manufacturing**Agency Contact:** Susan Wyatt, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711
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RIN: 2060–AI77

3641. NESHAP: PHARMACEUTICALS PRODUCTION; PROPOSED AMENDMENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7412

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CFR Citation: 40 CFR part 63**Legal Deadline:** None

Abstract: The final rule was promulgated on September 21, 1998. On November 20, 1998, a petition to review the final rule was filed by the Pharmaceutical Research and Manufacturers Association with the Court of Appeals for the District of Columbia Circuit. This action proposes amendments to the rule per the settlement agreement. The amendments include several clarifications, changes to key definitions, changes to the alternative standard requirements, and changes in the administrative requirements. There are no anticipated incremental impacts due to these amendments, in fact, the impacts of the rule have been reduced due to the streamlining of the monitoring, reporting and recordkeeping requirements.

Timetable:

Action	Date	FR Cite
NPRM	04/10/00	65 FR 19151
Final Action	10/00/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** SAN No. 4354

Sectors Affected: 325411 Medicinal and Botanical Manufacturing; 325412 Pharmaceutical Preparation Manufacturing

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RIN: 2060-AI78**3642. AMEND SUBPART HAND I, 40 CFR PART 61, FOR EMISSIONS OF RADIONUCLIDES OTHER THAN RADON FROM DOE FACILITIES****Priority:** Substantive, Nonsignificant

Legal Authority: 42 USC 7412 CAAA 112(g) or (q); PL 95-95

CFR Citation: 40 CFR 61.93(a); 40 CFR 61.93(b)(2)(ii)**Legal Deadline:** None

Abstract: Subparts H and I of 40 CFR Part 61 establish limits, under the Clean Air Act, for radionuclide emissions (other than radon) from Department of Energy (DOE) and other non-DOE federal facilities. These Subparts require emission sampling, monitoring, and calculations to identify compliance with the standard. The current air sampling methodology required by the standards is embodied in ANSI-N13.1-1969, a consensus guidance document that is incorporated by reference in EPA's standards. That guidance was updated in 1999, and contains new technical recommendations (that differ from the 1969 version) for obtaining representative air samples. In this rule, EPA is updating Subparts H and I to incorporate the new sampling guidance, ANSI-N13.1-1999, and require its use for new facilities and for those undergoing significant changes to ventilation systems. Existing facilities will be allowed to continue sampling in accordance with the current requirements.

Timetable:

Action	Date	FR Cite
NPRM	05/09/00	65 FR 29934
Final Action	07/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Additional Information:** SAN No. 4273

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RIN: 2060-AI90**3643. REVISION TO METHOD 24 FOR ELECTRICAL INSULATING VARNISHES****Priority:** Substantive, Nonsignificant

Legal Authority: 42 USC 7401; 42 USC 7411; 42 USC 7414; 42 USC 7416; 42 USC 7601

CFR Citation: 40 CFR 60 (Revision)**Legal Deadline:** None

Abstract: The purpose of this action is to revise Method 24 to allow the use of American Society for Testing and Materials' Method D6053-96 to measure the volatile organic content of electrical insulating varnishes. Method 24 as currently written is not applicable to these types of coatings. This action will ensure consistency in testing these coatings for determining compliance with current regulations. We do not anticipate any impact on small business or State/local/tribal governments.

Timetable:

Action	Date	FR Cite
Direct Final Rule	08/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** SAN No. 4299

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RIN: 2060-AI94**3644. REGULATION OF FUELS AND FUEL ADDITIVES: REFORMULATED GASOLINE ADJUSTMENT****Priority:** Other Significant**Legal Authority:** Not Yet Determined**CFR Citation:** 40 CFR 80.45**Legal Deadline:** None

Abstract: The proposed regulation would allow CO reductions (associated with oxygen in the gasoline above 2.0 wt%) to be used to offset increases in VOC emissions. The change would allow gasoline that has ethanol as an oxygenate to have a slightly higher Reid Vapor Pressure (RVP), which would alleviate some cost burdens for complying with Phase II of the RFG program. The change would therefore address the concern of the ethanol industry that such gasoline would otherwise be locked out of the market.

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Timetable:

Action	Date	FR Cite
NPRM	07/12/00	65 FR 42920
Final Action	01/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** SAN No. 4358

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RIN: 2060-AI98**3645. AMENDMENTS TO STATE AND FEDERAL OPERATING PERMITS PROGRAMS, PART 70 AND PART 71, COMPLIANCE CERTIFICATION REQUIREMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7414a; 42 USC 7661 to 7661f**CFR Citation:** 40 CFR 70; 40 CFR 71 (Revisions)**Legal Deadline:** None

Abstract: Action is in response to the October 29, 1999, United States Circuit Court of Appeals decision to remand to EPA part of the October 22, 1997, Compliance Assurance Monitoring rulemaking that included revisions to parts 70 and 71 compliance certification requirements. The Court ruled that the compliance certification must address whether the affected facility has been in continuous or intermittent compliance.

Timetable:

Action	Date	FR Cite
Final Action - 40 CFR 70 and 71 (Revisions)	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal, State, Local, Tribal**Additional Information:** SAN No. 4387

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RIN: 2060-AJ04**3646. PROTECTION OF STRATOSPHERIC OZONE ALLOCATION OF ESSENTIAL-USE ALLOWANCES FOR CALENDAR YEAR 2000: LABORATORY ESSENTIAL USE EXEMPTIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7414; 42 USC 7601; 42 USC 7671-7671(q)**CFR Citation:** 40 CFR 82**Legal Deadline:** None

Abstract: This rule will set essential-use allowances for 2000 under the Montreal Protocol on Substances that Deplete the Ozone Layer (Protocol). Essential-use allowances permit a person to obtain controlled ozone-depleting substances, such as chloroflourocarbons (CFCs), as an exemption to the January 1, 1996 regulatory phaseout of production and import. Essential-use allowances are allocated to a person for exempted production or importation of a specific quantity of a controlled substance solely for the designated essential purpose.

Timetable:

Action	Date	FR Cite
NPRM	11/02/99	64 FR 59141
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Additional Information:** SAN No. 4410
Split from RIN 2060-AI73.

Sectors Affected: 325412 Pharmaceutical Preparation Manufacturing; 927 Space Research and Technology

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RIN: 2060-AJ15**3647. • AMENDMENTS TO THE NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHAP) FOR PHARMACEUTICALS PRODUCTION****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 63 (Revision)**Legal Deadline:** None

Abstract: This action is to be taken to amend the existing NESHAP for Pharmaceuticals Production, promulgated on September 21, 1998 (63 FR 50280). The amendment will address application of MACT controls during periods of planned routine maintenance. This need for this amendment became known during post-promulgation discussions with the regulated industry.

Timetable:

Action	Date	FR Cite
Direct Final Rule	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** SAN No. 4458

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RIN: 2060-AJ17

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3648. • REVISION OF STANDARDS OF PERFORMANCE FOR NITROGEN OXIDE EMISSIONS FROM NEW FOSSIL-FUEL FIRED STEAM GENERATING UNITS**Priority:** Other Significant**Legal Authority:** CAAA sec 407(c)**CFR Citation:** 40 CFR 60.40**Legal Deadline:** None

Abstract: On September 16, 1998, EPA promulgated revised Standards of Performance for Nitrogen Oxide Emissions from New Fossil-Fuel Fired Steam Generating Units (63 FR 49442). Subsequently, five petitions were received asking for review of several issues. These issues included the claim that EPA failed to adequately analyze the impacts of existing boilers; that NOx limits are not technically or economically feasible; and that the "fuel neutral" approach is not actually fuel neutral. In September 1999, the Court vacated the revised Standards as applied to existing modified boilers, citing that the regulation was deficient in explanation of the Agency's approach to these issues. On December 21, 1999, the Court denied the petitions regarding the remaining issues. This rulemaking addresses the aforementioned issues.

Timetable:

Action	Date	FR Cite
Direct Final Rule	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** SAN No. 4414
Split from RIN 2060-AE56.**Sectors Affected:** 221112 Fossil Fuel
Electric Power Generation

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RIN: 2060-AJ22**3649. • NESHA FOR SOURCE CATEGORIES: PHOSPHORIC ACID MANUFACTURING AND PHOSPHATE FERTILIZERS PRODUCTION — AMENDMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 101-549 sec 112**CFR Citation:** 40 CFR 63 subparts AA
to BB**Legal Deadline:** None

Abstract: The rules are being amended to resolve specific issues and questions raised after promulgation. The changes do not change the projections for environmental benefits, compliance costs, burden on industry, or the number of affected facilities. There are no impacts on small businesses, State/local/ or tribal governments. These amendments do not raise any cross-media issues.

Timetable:

Action	Date	FR Cite
Direct Final Rule	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** SAN No. 4442

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RIN: 2060-AJ29

3650. • STAY OF THE 8-HOUR PORTION OF FINDINGS OF SIGNIFICANT CONTRIBUTION AND RULEMAKING FOR PURPOSES OF REDUCING INTERSTATE OZONE TRANSPORT**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7410(a)(2)(D);
42 USC 7410(k)(5)**CFR Citation:** 40 CFR 51; 40 CFR 52(a)**Legal Deadline:** None

Abstract: This action amends a portion
of the final NOx SIP call by staying

our finding in the NOx SIP Call related to the 8-hour ozone standards. The final NOx SIP call required that the SIPs be submitted by September 30, 1999 and the controls be implemented by May 1, 2003. On May 25, 1999, the D.C. Circuit granted a stay of the SIP submittal date of September 30, 1999. On June 22, 2000, the D.C. Circuit lifted the stay and gave States 128 days from that date to submit a SIP. The new submittal date is October 30, 2000. In May 1999, a panel of the D.C. Circuit Court remanded the revised 8-hour ozone standards, and in November 1999, the full court denied a rehearing. On March 3, 2000, the court issued a decision, largely upholding the NOx SIP call rule with respect to the 1-hour ozone NAAQS. Therefore, we are indefinitely staying the 8-hour portion of the SIP call because EPA believes it should not continue implementation efforts under section 110 with respect to the 8-hour standard that could be construed as inconsistent with the court's ruling while these issues are being considered by the Supreme Court. The findings under the 8-hour standards were completely separate from its 1-hour findings and were an independent basis for the rule. Therefore, all of the requirements of the SIP call remain in effect for the 1-hour standard.

Timetable:

Action	Date	FR Cite
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** SAN No. 4465

Split from RIN 2060-AH10

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RIN: 2060-AJ37

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Final Rule Stage

3651. • STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES: MUNICIPAL SOLID WASTE LANDFILLS: AMENDMENT**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401; 42 USC 7411; 42 USC 7414; 42 USC 7416; 42 USC 7429; 42 USC 7601**CFR Citation:** 40 CFR 60.751; 40 CFR 60.752(b)(2)(iii)(C)**Legal Deadline:** None

Abstract: This action will revise the existing regulation entitled Standards of Performance for New Stationary Sources: Municipal Solid Waste Landfills, subpart WWW of 40 CFR Part 60, promulgated on March 12, 1996. The revision is being undertaken in response to requests to clarify our intent regarding what constitutes an adequate landfill gas treatment system. This action also clarifies our intent to exempt from control landfill gas that is treated/upgraded to pipeline quality natural gas. Furthermore, it clarifies who is responsible for control of untreated landfill gas that is sold and the condition under which this gas is exempt from control. Today's action is necessary to clarify our intent regarding the issues discussed above. It will improve implementation and compliance with this regulation. There are no internal issues involved with the proposal and direct final amendment, and we anticipate no significant

adverse reaction related to this action from industry, regulators, or environmentalists.

Timetable:

Action	Date	FR Cite
Final Action - NSPS: Municipal Solid Waste Landfills	12/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** SAN No. 4478**Sectors Affected:** 562212 Solid Waste Landfill

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RIN: 2060-AJ41**3652. • NESHAP: GASOLINE DISTRIBUTION FACILITIES — AMENDMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401**CFR Citation:** 40 CFR 63.425(e)**Legal Deadline:** None

Abstract: This action will add a DOT test method as an alternative for measuring emissions from railcars. This method came to our attention subsequent to promulgation of the original rule.

Timetable:

Action	Date	FR Cite
Direct Final Rule	11/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** SAN No. 4479

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RIN: 2060-AJ42**Environmental Protection Agency (EPA)
Clean Air Act (CAA)**

Long-Term Actions

3653. REVISED PERMIT REVISION PROCEDURES FOR THE FEDERAL OPERATING PERMITS PROGRAM**Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7661(a)(d)(3)**CFR Citation:** 40 CFR 71.7**Legal Deadline:** None

Abstract: The proposed regulatory change would streamline permit revisions procedures for stationary air

sources that are subject to the Federal operating permits program.

The Agency does not anticipate any significant impact on small businesses and State/local/tribal governments.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal, State, Local, Tribal**Additional Information:** SAN No. 3922

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RIN: 2060-AG92

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Long-Term Actions

3654. GENERAL CONFORMITY REGULATIONS; REVISIONS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 7401 to 7671

CFR Citation: 40 CFR 51.850 to 51.860; 40 CFR 93.150 to 93.160

Legal Deadline: None

Abstract: Section 176(c) of the Clean Air Act prohibits Federal entities from taking actions which do not conform to the State implementation plan (SIP) for the attainment and maintenance of the national ambient air quality standards (NAAQS). In November 1993, EPA promulgated two sets of regulations to implement section 176(c). First, on November 24, EPA promulgated the Transportation Conformity Regulations to establish the criteria and procedures for determining that transportation plans, programs, and projects which are funded under title 23 U.S.C. or the Federal Transit Act conform with the SIP. Then, on November 30, EPA promulgated regulations, known as the General Conformity Regulations, to ensure that other Federal actions also conformed to the SIPs. Since 1993, EPA has amended the transportation conformity rule three times in response to stakeholders' requests. The EPA is working on a separate revision to address transportation conformity in transitional areas which will be final by December 1998. The EPA has not reviewed or revised the General Conformity Regulations since their 1993 promulgation. Several Federal agencies have identified concerns over the implementation of the General Conformity Regulations, including the requirements for areas designated nonattainment for the newly promulgated NAAQS. In conjunction with an ad hoc work group of representatives from several Federal agencies, EPA will review the implementation of the General Conformity Regulations. The EPA will then propose and promulgate any appropriate revision to those regulations.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal, State

Federalism: Undetermined

Additional Information: SAN No. 4070

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RIN: 2060-AH93

3655. REVISIONS TO AIR POLLUTION EMERGENCY EPISODE REQUIREMENTS (SUBPART H, 40 CFR PART 51)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7410(a)(2)(G); 42 USC 7603

CFR Citation: 40 CFR 51 Appendix L; 40 CFR 51.150 to 51.153

Legal Deadline: None

Abstract: 40 CFR part 51.150-51.153 require States to have contingency plans to prevent air pollution levels from reaching the significant harm level (SHL) for CO, O₃, SO₂, NO_x, and PM. Appendix L provides example guidance to the States on appropriate courses of action to take at each episode stage (i.e., alert, warning, and emergency) to ensure the SHL is not reached. These requirements were developed in the 1970s, based on the NAAQS from that era. Since that time, ambient air quality levels have decreased nationwide. Today, many areas/sources that no longer need episode plans must still develop them. This rule would update and simplify the criteria used to determine which areas would require episode plans. Areas with no more than one exceedance of the Alert level over the past 5 years would not need to develop emergency episode plans. Sources with the potential to cause exceedances of the SHL due to a process/control equipment malfunction would need to develop source contingency plans to prevent (and to respond to) such malfunctions. Appendix L would also be revised to

reflect the revised program requirements. The result will be a sensible, credible program replacing an outdated program.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 4247

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3656. REVISION OF EPA'S RADIOLOGICAL EMERGENCY RESPONSE PLAN

Priority: Substantive, Nonsignificant

Legal Authority: EO 12777; PL 96-295 Sec 304

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The U.S. Environmental Protection Agency (EPA) Radiological Emergency Response Plan (RERP) establishes a framework for timely, coordinated EPA action to protect public health and safety and the environment in response to a peacetime radiological incident. The original EPA RERP was approved in 1986. This new revision updates authorities, responsibilities, capabilities, and procedures for implementing effective radiological emergency response actions by EPA Offices. The RERP presents the EPA organizational structure and concept of operations for responding to radiological incidents as a participant in a Federal multi-agency response using the Federal Radiological Emergency Response Plan (FRERP) and

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the Federal Response Plan (FRP), and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). This revision incorporates recent changes to the FRERP and NCP, and many other policy updates. In short, this revision ensures that EPA maintains a comprehensive strategy to provide organized, effective assistance to State and local governments in the event of a radiological emergency.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3638

Was previously listed in the Regulatory Agenda as RIN 2060-AF85.

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RIN: 2060-AI49

3657. NESHAP: FRICTION PRODUCTS MANUFACTURING

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412 CAA sec 112; PL 91-190 sec 203

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: The friction products manufacturing source category includes any facility that manufactures or remanufactures friction products such as brakes, brake pads, disk pads, and clutch pads, including facilities that use non-asbestiform mineral fibers and asbestos replacement material. Hazardous air pollutants (HAPs) are emitted from solvents contained in the adhesives used to bond the friction material to the automobile part. During 1998, the Agency collected current information from owners/operators regarding business size, quantities of pollutants, processes, air pollution control devices, and workplace practices in the industry. Some of the HAPs reported include phenol, toluene, methyl chloroform, chlorobenzene, o-cresol, formaldehyde, n-hexane, hydrogen cyanide, methanol, methylene chloride, methylisobutyl carbon, 1,1,1-trichloroethane, trichloroethylene, chloroethylether, ethylbenzene, xylenes, and methylethylketone.

Owners/operators reported that these particular HAPs are emitted during heated processes such as curing, bonding, and debonding processes. It is expected that substantial reductions in these emissions can be achieved at the floor levels of controls under section 112(b). Based on this information and any needed new information to be developed by EPA and the industry, the Agency plans to propose and promulgate a maximum achievable control technology (MACT) standard for existing sources and new sources.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: State

Additional Information: SAN No. 3899

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RIN: 2060-AG87

3658. NESHAP: MANUFACTURE OF CARBON BLACK

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412 CAA sec 112

CFR Citation: 40 CFR 63 YY

Legal Deadline: Final, Statutory, November 15, 2000.

Abstract: The purpose of this regulatory action is to develop a Maximum Achievable Control Technology Standard for the manufacture of carbon black. This standard will meet the Clean Air Act Amendments of 1990 requirement to regulate sources of hazardous air pollutants. Three hazardous air pollutants identified in the 1990 Clean Air Act Amendments are emitted by the carbon black process. These are carbon disulfide, carbonyl sulfide, and hydrogen cyanide.

Carbon black is a product used primarily in the manufacture of

automobile tires. There are approximately 22 carbon black facilities located in the Nation. Of these it is currently estimated there are 20 major sources that will be subject to this regulation. This rule is not expected to have impacts on small business.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: SAN No. 3962

Sectors Affected: 325182 Carbon Black Manufacturing

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RIN: 2060-AH19

3659. NESHAP: FLEXIBLE POLYURETHANE FOAM FABRICATION OPERATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412 CAAA 112

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: The Clean Air Act (CAA) requires development of emission standards for sources emitting any of the hazardous air pollutants (HAP) listed in section 112(b) of the CAA. Flexible Polyurethane Foam Fabrication Operations is listed as a category of major sources based on documented emissions of the following HAP: methylene chloride, trichlorethane, hydrogen cyanide, and hydrogen chloride. This source category covers emissions from various polyurethane foam bonding operations, including foam gluing and flame lamination. This action will explore alternatives for reducing HAP emissions from the following emission sources located at foam fabrication plants: process vents,

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raw material storage and transfer operations, and equipment leaks. By mid-1999, these facilities had to be in compliance with the revised, lower OSHA permissible exposure limits for methylene chloride, which is the predominant HAP. Most, if not all facilities have responded by replacing methylene chloride with a non-HAP. Most, if not all of these facilities may no longer be major sources of HAP emissions. If there are still major sources in the source category, a NESHAP for this source category will be developed based on Maximum Achievable Control Technology.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal, State, Local

Additional Information: SAN No. 3973

Sectors Affected: 326199 All Other Plastics Product Manufacturing; 326299 All Other Rubber Product Manufacturing

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RIN: 2060-AH42

3660. NESHAP: OIL AND NATURAL GAS PRODUCTION

Priority: Other Significant

Legal Authority: 42 USC 7412 CAA sec 112

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: On February 2, 1998, we proposed NESHAP for oil and gas production (major sources), oil and gas production (area sources), and natural gas transmission and storage in one package. On June 17, 1999, we promulgated NESHAP for oil and gas production (major sources) and natural gas transmission and storage. In this

action, we will publish a supplemental proposal for the oil and gas production glycol dehydrators (area sources) and subsequently promulgate the proposal.

Timetable:

Action	Date	FR Cite
Supplemental NPRM	06/00/03	
Final Action	06/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State

Additional Information: SAN No. 4162

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RIN: 2060-A113

3661. NESHAP: PROCESS HEATERS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7412

CFR Citation: 40 CFR 63

Legal Deadline: None

Abstract: The Clean Air Act, as amended in 1990, requires EPA to develop emission standards for sources of hazardous air pollutants (HAPs). Process heaters is among the potential source categories to be regulated under section 112 of the CAA. Emissions of HAPs will be addressed by this rulemaking for both new and existing sources. The standards for the NESHAP are to be technology-based and are to require the maximum achievable control technology (MACT) as described in section 112 of the CAA.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: SAN No. 4218

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RIN: 2060-AI35

3662. FIELD CITATION PROGRAM

Priority: Other Significant

Legal Authority: 42 USC 7413(d) CAA sec 113(d)

CFR Citation: 40 CFR 59

Legal Deadline: None

Abstract: The Clean Air Act Amendments give EPA the authority to issue on-the-spot field citations for minor violations of the Clean Air Act, with penalties of up to \$5,000 per day of violation. Section 113(d) of the Act requires the field citation program to be implemented through regulations which provide the informal hearing procedures. These hearing procedures are not required to be as rigorous as those imposed by the Administrative Procedures Act (APA), but nevertheless must provide due process. Agency guidance providing appropriate penalties for specific minor violations will be prepared for EPA employees and made available to the regulated community. Training on the issuance of field citations will also be developed.

Timetable:

Action	Date	FR Cite
NPRM	05/03/94	59 FR 22776
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Federalism: Undetermined

Additional Information: SAN No. 2937

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RIN: 2020-AA32

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3663. NSPS: NEW SOURCE PERFORMANCE STANDARDS AND EMISSION GUIDELINES FOR OTHER SOLID WASTE INCINERATORS**Priority:** Other Significant**Legal Authority:** 42 USC 7509 CAA sec 129**CFR Citation:** 40 CFR 60**Legal Deadline:** None

Abstract: Section 129 of the Clean Air Act of 1990 requires the Agency to promulgate New Source Performance Standards (NSPS) and Emission Guidelines (EG) for solid waste incinerators. Section 129 specifically required the Administrator to publish a schedule for regulating Other Solid Waste Incinerators (OSWI). A notice in the Federal Register was published on November 2, 1993 that announced that the Administrator would promulgate OSWI standards by November 15, 2000. The notice also listed what classes of incinerators would be covered by the OSWI standards. Because it is believed that these OSWI emit significant amounts of air pollution that cause public health and environmental problems, the Administrator intends to promulgate the NSPS and EG for OSWI in accordance with section 129. Standards will be set for the following pollutants: particulate matter, opacity, sulfur dioxide, hydrogen chloride, oxides of nitrogen, carbon monoxide, lead cadmium, mercury, and dioxins and dibenzofurans.

Timetable:

Action	Date	FR Cite
ANPRM	12/28/94	59 FR 66850
NPRM	11/00/05	
Final Action	11/00/06	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** State, Local**Additional Information:** SAN No. 3751

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RIN: 2060-AG31

3664. PREVENTION OF SIGNIFICANT DETERIORATION OF AIR QUALITY: PERMIT APPLICATION REVIEW PROCEDURES FOR NON-FEDERAL CLASS I AREAS**Priority:** Other Significant**Legal Authority:** 42 USC 7670 to 7479 CAA sec 160-169**CFR Citation:** 40 CFR 51.166; 40 CFR 52.21**Legal Deadline:** None

Abstract: Under the Clean Air Act's prevention of significant deterioration (PSD) program, a State or tribe may redesignate their lands as class I areas to provide enhanced protection for their air quality resources. This rule will clarify the PSD permit review procedures for new and modified major stationary sources near these non-Federal class I areas. EPA seeks to develop clarifying PSD permit application procedures that are effective, efficient, and equitable.

Timetable:

Action	Date	FR Cite
ANPRM	05/16/97	62 FR 27158
NPRM	10/00/02	
Final Action	10/00/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State, Tribal**Additional Information:** SAN No. 3919

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RIN: 2060-AH01

3665. CONSUMER AND COMMERCIAL PRODUCTS: FLEXIBLE PACKAGE PRINTING MATERIALS: DETERMINATION ON CONTROL TECHNIQUES GUIDELINES IN LIEU OF REGULATION**Priority:** Other Significant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: In accordance with Section 183(e) of the Clean Air Act, EPA identified flexible package printing materials as a category of consumer and commercial products prioritized for regulation to reduce VOC emissions in ozone nonattainment areas. Section 183(e)(3)(C) gives EPA the authority to issue CTG in lieu of regulation if the Administrator determines that CTG are substantially as effective as regulation in reducing VOC emissions in ozone nonattainment areas. This action will put forward EPA's proposed determination under section 183(e)(3)(C).

Timetable:

Action	Date	FR Cite
Final Determination/CTG	04/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** SAN No. 4245

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RIN: 2060-AI31

3666. PROTECTION OF STRATOSPHERIC OZONE: UPDATE OF THE SUBSTITUTES LIST UNDER THE SIGNIFICANT NEW ALTERNATIVES POLICY (SNAP) PROGRAM**Priority:** Other Significant**Legal Authority:** 42 USC 7414; 42 USC 7601; 42 USC 7671(k) CAA sec 612**CFR Citation:** 40 CFR 82; 40 CFR 9**Legal Deadline:** None

Abstract: Section 612 of the Clean Air Act requires EPA to identify alternatives to Class I and II ozone

EPA—Clean Air Act (CAA)

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depleting substances and to publish lists of acceptable and unacceptable substitutes. Producers of substitutes must notify EPA at least 90 days before alternatives are introduced into interstate commerce. Unlike acceptable alternatives (see Notices), substitutes which are deemed by EPA to be unacceptable or acceptable subject to use restrictions must go through notice and comment rulemaking. Substitute lists are updated intermittently depending on the volume of notifications.

Timetable:

Action	Date	FR Cite
ANPRM	01/16/92	57 FR 1984
NPRM	05/12/93	58 FR 28094
Final Rule	03/18/94	59 FR 13044
Notice 1	08/26/94	59 FR 44240
NPRM 1	09/26/94	59 FR 49108
Notice 2	01/13/95	60 FR 3318
Final Rule 1	06/13/95	60 FR 31092
Notice 3	07/28/95	60 FR 38729
NPRM 2	10/02/95	60 FR 51383
Notice 4	02/08/96	61 FR 4736
NPRM 3	05/22/96	61 FR 25604
Final Rule 2	05/22/96	61 FR 25585
Notice 5	09/05/96	61 FR 47012
Final Rule 3	10/16/96	61 FR 54030
Notice 6	03/10/97	62 FR 10700
NPRM 4	05/21/97	62 FR 27874
Notice 7	06/03/97	62 FR 30275
NPRM 5	02/03/98	63 FR 5491
Notice 8	02/24/98	63 FR 9151
Notice 9	05/22/98	63 FR 28251
Interim Final Rule 7	01/26/99	64 FR 3861
Interim Final Rule 8	01/26/99	64 FR 3865
ANPRM 9	02/18/99	64 FR 8043
NPRM 6	02/18/99	64 FR 8038
Final Rule 5	04/28/99	64 FR 22981
Notice 10	06/08/99	64 FR 30410
Notice 11	12/06/99	64 FR 68039
Notice 12	04/11/00	65 FR 19327
Final Rule 6	04/26/00	65 FR 24387
Notice 13	06/19/00	65 FR 37900
NPRM 10	07/11/00	65 FR 42653
Next Action Undetermined		

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** SAN No. 3525 (Generic SAN)

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RIN: 2060-AG12

3667. IDENTIFICATION OF ADDITIONAL OZONE AREAS ATTAINING THE 1-HOUR STANDARD AND TO WHICH THE 1-HOUR STANDARD IS NO LONGER APPLICABLE (7 AREAS)

Priority: Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 81 (Revision)**Legal Deadline:** None

Abstract: EPA proposes to identify several additional ozone areas where the 1-hour standard is no longer applicable. This proposed action is based upon analysis of quality-assured, ambient air quality monitoring data showing no violations of the 1-hour ozone standard. Determinations for this notice were based upon the most recent data available, i.e., 1996-1998. The EPA has previously taken final action regarding the applicability of the 1-hour standard for other areas on June 5, 1998, and July 22, 1998.

Timetable:

Action	Date	FR Cite
NPRM	06/09/99	64 FR 30937
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Additional Information:** SAN No. 4274

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RIN: 2060-AI57

3668. REVISION TO NOX SIP CALL EMISSION BUDGETS FOR CONNECTICUT, MASSACHUSETTS AND RHODE ISLAND

Priority: Substantive, Nonsignificant**Legal Authority:** 42 USC 7410(a)(2)(D); 42 USC 7410(k)(5)**CFR Citation:** 40 CFR 51**Legal Deadline:** None

Abstract: On October 27, 1998, EPA published a final rule (the "OTAG SIP Call") making a finding of significant contribution and assigning statewide NOx emission budgets to 22 States and the District of Columbia for purposes of reducing regional transport of ozone and its precursor, NOx. Subsequent to the promulgation of the SIP call, EPA and the States of Connecticut, Massachusetts and Rhode Island signed a memorandum of understanding that obligated EPA to propose to redistribute the budgets assigned to the three States in a different way. This action would carry out that obligation. This redistribution would not lead to an increase in the overall budget for the three States.

Timetable:

Action	Date	FR Cite
Direct Final Rule	09/15/99	64 FR 49987
Withdrawal of Direct Final Rule	11/01/99	64 FR 58792
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** State**Additional Information:** SAN No. 4276

Direct Final Action-
<http://www.epa.gov/fedrgstr/EPA-AIR/1999/September/Day-15/a23914.htm>

Withdrawal-<http://www.epa.gov/fedrgstr/EPA-AIR/1999/November/Day-01/a28519.htm>

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RIN: 2060-AI80

EPA—Clean Air Act (CAA)

Long-Term Actions

3669. INTERSTATE OZONE TRANSPORT: RULEMAKING ON SECTION 126 PETITIONS FROM THE DISTRICT OF COLUMBIA, DELAWARE, MARYLAND, AND NEW JERSEY**Priority:** Economically Significant**Unfunded Mandates:** This action may affect the private sector under PL 104-4.**Legal Authority:** 42 USC 7426**CFR Citation:** 40 CFR 52; 40 CFR 97**Legal Deadline:** Final, Statutory, December 14, 1999, for New Jersey. Final, Statutory, January 1, 2000, for Maryland. Final, Statutory, February 10, 2000, for Delaware.

Final, Statutory, March 7, 2000, for the District of Columbia.

Abstract: In April through July 1999, 3 Northeastern States (New Jersey, Maryland, and Delaware) and the District of Columbia submitted individual petitions to EPA in accordance with section 126 of the Clean Air Act (CAA). Each petition specifically requests that EPA make a finding that nitrogen oxides (NOx) emissions from certain stationary sources in other States significantly contribute to ozone nonattainment and maintenance problems with respect to the 1-hour and 8-hour ozone standards in the petitioning State. If EPA makes such a finding of significant contribution, EPA is authorized to establish Federal emissions limits for the sources. The petitions rely on the analyses from EPA's NOx SIP call. The sources targeted by the petitions are large electricity generating units and large non-electricity generating units, as defined in EPA's NOx SIP call. The CAA requires EPA to take final action on the petitions within 60 days of receipt, but may extend the deadline for up to 6 additional months to allow for public process. The EPA took rulemaking action on similar petitions from 8 other Northeastern States that were submitted in 1997.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Additional Information:** SAN No. 4383

There is a different statutory deadline associated with each petition based on the date of receipt by EPA: New Jersey - 12/14/99, Maryland - 01/01/00, Delaware - 02/10/00, District of Columbia - 03/07/00

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RIN: 2060-AI99**3670. RESCINDING THE FINDING THAT THE PRE-EXISTING PM10 STANDARDS ARE NO LONGER APPLICABLE IN NORTHERN ADA COUNTY/BOISE, IDAHO****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 50.6(d); 40 CFR 52.676; 40 CFR 81.313**Legal Deadline:** None

Abstract: The EPA had previously taken action to revoke the PM-10 national ambient air quality standards (NAAQS) for the Boise/Ada County area in anticipation that a revised PM-10 NAAQS would soon be in place. However, the DC Circuit court subsequently vacated the revised PM-10 NAAQS, the effectiveness of which served as the underlying basis for EPA's decision to revoke the pre-existing PM-10 NAAQS. Therefore, in order to protect public health in the Boise/Ada County area, EPA is proposing to reinstate the pre-existing PM-10 NAAQS. Without this action there would be no Federal PM-10 NAAQS applicable to this area.

Timetable:

Action	Date	FR Cite
NPRM	06/26/00	65 FR 39321
Notice Extension of Comment Period	07/26/00	65 FR 45953
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** Undetermined**Additional Information:** SAN No. 4391

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RIN: 2060-AJ05**3671. NESHAP: ALUMINUM DIE CASTING AND ALUMINUM FOUNDRIES****Priority:** Other Significant**Legal Authority:** CAA Section 112**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: The completed Secondary Aluminum Production NESHAP included some aluminum die casting facilities and aluminum foundries under its applicability. EPA has based its MACT standard for aluminum die casting and aluminum foundries, as well as its assessment of the economic impacts on small businesses in these industries, on information on representative facility practices provided to EPA by these industries to date. However, affected facilities in these industries have expressed concern that the information and assumptions upon which EPA has relied may be incomplete or may not adequately represent the processes and emissions at such facilities. Therefore, EPA will initiate a formal process to collect further information from the facilities in these industries on the activities in which they engage and the potential of these activities to contribute to HAP emissions. After evaluating this information, EPA will make a new determination concerning MACT requirements for both major facilities and area sources in these industries. EPA expects to adopt any alternative MACT standard applicable to these industries, and to take final action to remove the aluminum die casting and aluminum foundry

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industries from the current standard, within two years.

Timetable:

Action	Date	FR Cite
NPRM	03/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 4413

Sectors Affected: 331521 Aluminum Die-Castings; 331524 Aluminum Foundries

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RIN: 2060-AJ09

Environmental Protection Agency (EPA)

Completed Actions

Clean Air Act (CAA)

3672. • FEDERAL IMPLEMENTATION PLAN (FIP) TO CONTROL EMISSIONS FROM SOURCES LOCATED ON THE FORT HALL INDIAN RESERVATION

Priority: Other Significant

Legal Authority: CAA, title I

CFR Citation: 40 CFR 49

Legal Deadline: None

Abstract: EPA will propose Federal rulemaking for sources located on the Reservation to implement the intent of the Clean Air Act (CAA) title I program to bring about attainment of the PM-10 NAAQS both on and off the Fort Hall Indian Reservation.

Timetable:

Action	Date	FR Cite
NPRM	02/12/99	64 FR 7307
NPRM	01/24/00	65 FR 3680
NPRM	01/27/00	65 FR 4465
Final Action	08/23/00	65 FR 51411

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3637

NPRM-
<http://www.epa.gov/fedrgstr/EPA-AIR/1999/February/Day-12/a2993.htm>

Formerly listed as RIN 2060-AF84

Agency Contact: Steve Body, Environmental Protection Agency, Regional Office Seattle, Region10, Seattle, WA 98101
Phone: 206 553-0782

RIN: 2012-AA00

3673. SOURCE SPECIFIC FEDERAL IMPLEMENTATION PLAN FOR NAVAJO GENERATING STATION; FOUR CORNERS POWER PLANT

Priority: Other Significant

CFR Citation: 40 CFR 60

Completed:

Reason	Date	FR Cite
Transferred to RIN 2009-AA01	08/03/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Douglas McDaniel
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Colleen McKaughan
Phone: 520 498-0118

RIN: 2060-AF42

3674. FEDERAL IMPLEMENTATION PLAN (FIP) TO CONTROL EMISSIONS FROM SOURCES LOCATED ON THE FORT HALL INDIAN RESERVATION

Priority: Other Significant

CFR Citation: Not Yet Determined

Completed:

Reason	Date	FR Cite
Transferred to RIN 2012-AA00	08/03/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Steve Body
Phone: 206 553-0782

RIN: 2060-AF84

3675. AMENDMENT TO STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES; MONITORING REQUIREMENTS (PS-1)

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 60

Completed:

Reason	Date	FR Cite
Final Action	08/10/00	65 FR 48914

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 2060-AG22

3676. NSPS: SEWAGE SLUDGE INCINERATORS

Priority: Other Significant

CFR Citation: 40 CFR 63

Completed:

Reason	Date	FR Cite
Withdrawn	08/15/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Local

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RIN: 2060-AG50

EPA—Clean Air Act (CAA)

Completed Actions

3677. NESHAP: TACONITE IRON ORE PROCESSING**Priority:** Substantive, Nonsignificant**CFR Citation:** Not Yet Determined**Completed:**

Reason	Date	FR Cite
Merged With RIN 2060-AJ02, SAN 4380	09/20/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Al Vervaert

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RIN: 2060-AH73**3678. NESHAP: AMMONIUM SULPHATE PRODUCTION (CAPROLACTAM BYPRODUCT)****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 63**Completed:**

Reason	Date	FR Cite
Merged With RIN 2060-AE82, SAN 3452	09/20/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Jeff Telander

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Jim Crowder

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RIN: 2060-AH77**3679. NESHAP: HYDROGEN CHLORIDE PRODUCTION****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 63**Completed:**

Reason	Date	FR Cite
Merged With RIN 2060-AH75, SAN 4104	09/20/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State**Agency Contact:** Joseph Wood

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Kenneth Durkee

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RIN: 2060-AH80**3680. OPTIONAL CERTIFICATION STREAMLINING PROCEDURES FOR LDVS, LDTS, AND HDES****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 86; 40 CFR 88**Completed:**

Reason	Date	FR Cite
Final Action	03/07/00	65 FR 11898

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Clifford Tyree

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RIN: 2060-AI15**3681. ADDITIONAL FLEXIBILITY AMENDMENTS TO INSPECTION MAINTENANCE PROGRAM REQUIREMENTS; AMENDMENTS TO THE FINAL RULE****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR part 51**Completed:**

Reason	Date	FR Cite
Final Action	07/24/00	65 FR 45526

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** David Sosnowski

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RIN: 2060-AI61**3682. • NESHAP: OFF-SITE WASTE RECOVERY OPERATIONS; ADDITIONAL TECHNICAL AMENDMENTS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 7401 et seq**CFR Citation:** 40 CFR 63**Legal Deadline:** None**Abstract:** The technical correction notice will correct typographical errors in the final rule. There will also be a change made to the final rule in sections 63.69(d)(3)(ii), (e)(3)(ii), (f)(3)(iii), and (g)(3)(ii) to remove the +/- 1 percent accuracy requirement and replace it with reference to part 60 appendix B performance specification 8 or 9.**Timetable:**

Action	Date	FR Cite
Direct Final Rule	07/20/99	64 FR 38950

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** State, Local**Additional Information:** SAN No. 4453

Split from RIN 2060-AH96.

Sectors Affected: 32411 Petroleum Refineries; 325412 Pharmaceutical Preparation Manufacturing; 32731 Cement Manufacturing; 562112 Hazardous Waste Collection**Agency Contact:** Kent C. Hustvedt, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711

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RIN: 2060-AJ21**3683. NESHAP: SECONDARY ALUMINUM INDUSTRY****Priority:** Other Significant**CFR Citation:** 40 CFR 63**Completed:**

Reason	Date	FR Cite
Final Action	03/23/00	65 FR 15689

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Juan Santiago

EPA—Clean Air Act (CAA)

Completed Actions

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Jim Crowder
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 RIN: 2060-AE77

3684. OFFSET LITHOGRAPHIC PRINTING NATIONAL VOC RULE

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 59

Completed:

Reason	Date	FR Cite
Withdrawn - Agency Plans No Further Work	08/15/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

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 RIN: 2060-AH00

3685. TRANSPORTATION CONFORMITY AMENDMENT: DELETION OF GRACE PERIOD

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 93.102(d)

Completed:

Reason	Date	FR Cite
Final Action	04/10/00	65 FR 18911

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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 RIN: 2060-AI76

3686. NONROAD SPARK-IGNITION ENGINES AT OR BELOW 19 KILOWATTS (25 HORSEPOWER) (PHASE 2)

Priority: Economically Significant.
 Major under 5 USC 801.
CFR Citation: 40 CFR 90

Completed:

Reason	Date	FR Cite
Final Action Hand-held engines	04/25/00	65 FR 24267

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Phil Carlson
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 RIN: 2060-AE29

3687. REDEFINITION OF GLYCOL ETHERS LISTED AS HAPS UNDER THE CLEAN AIR ACT, AND HAZARDOUS SUBSTANCES UNDER CERCLA

Priority: Substantive, Nonsignificant
CFR Citation: 40 CFR 302 (Revision);
 40 CFR 63 (Revision)

Completed:

Reason	Date	FR Cite
Final Action	08/02/00	65 FR 47342

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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 RIN: 2060-AI08

3688. CONTROL OF EMISSIONS OF AIR POLLUTION FROM 2004 AND LATER MODEL YEAR HEAVY-DUTY HIGHWAY ENGINES AND VEHICLES; REVISION OF LIGHT-DUTY TRUCK DEFINITION

Priority: Economically Significant.
 Major under 5 USC 801.

CFR Citation: 40 CFR 86; 40 CFR 88

Completed:

Reason	Date	FR Cite
Final Action	10/06/00	65 FR 59895

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 2060-AI12

3689. HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS—FEDERAL PLAN (FEDERAL PLAN FOR EXISTING HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS)

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 60.27

Completed:

Reason	Date	FR Cite
Final Action	08/15/00	65 FR 49868

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 2060-AI25

3690. NESHAP: ETHYLENE OXIDE COMMERCIAL STERILIZATION AND FUMIGATION OPERATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 63

Completed:

Reason	Date	FR Cite
Interim Final Rule - Extended Suspension of Rule	12/03/99	64 FR 67789

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 2060-AI37

EPA—Clean Air Act (CAA)

Completed Actions

3691. PROTECTION OF STRATOSPHERIC OZONE: MANUFACTURE OF HALON BLENDS, INTENTIONAL RELEASE OF HALON, TECHNICAL TRAINING AND DISPOSAL OF HALON AND HALON-CONTAINING EQUIPMENT - AMENDMENT**Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 82.250 to 82.270**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency Plans No Further Action	09/05/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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RIN: 2060-AI40**3692. PROTECTION OF STRATOSPHERIC OZONE: AMENDMENT TO TRANSHIPMENT PROVISION IN FINAL RULE ACCELERATING THE PHASEOUT OF OZONE-DEPLETING SUBSTANCES****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 82**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency Plans No Further Action	08/21/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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RIN: 2060-AI46**3693. TECHNICAL AMENDMENT TO THE FINDING OF SIGNIFICANT CONTRIBUTION AND RULEMAKING FOR CERTAIN STATES FOR PURPOSES OF REDUCING REGIONAL TRANSPORT OF OZONE (THE NOX SIP CALL RULE)****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 51 (Revision)**Completed:**

Reason	Date	FR Cite
Final Action - Technical Amendment	03/02/00	65 FR 11222

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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RIN: 2060-AI71**3694. PROTECTION OF STRATOSPHERIC OZONE ALLOCATION OF ESSENTIAL-USE ALLOWANCES FOR CY 2000: ALLOCATIONS FOR METERED-DOSE INHALERS & THE SPACE SHUTTLE & TITAN ROCKETS****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 82**Completed:**

Reason	Date	FR Cite
Final Action	06/30/00	65 FR 40524

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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RIN: 2060-AI73**3695. SOURCE SPECIFIC FEDERAL IMPLEMENTATION PLAN FOR NAVAJO GENERATING STATION; NAVAJO NATION****Priority:** Substantive, Nonsignificant**CFR Citation:** 49 CFR 123**Completed:**

Reason	Date	FR Cite
Transferred to RIN 2009-AA00	08/03/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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Douglas McDaniel
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RIN: 2060-AI79**3696. AMENDMENT TO NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS: HALOGENATED SOLVENT CLEANING****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 63.468(j)**Completed:**

Reason	Date	FR Cite
Direct Final Rule	07/13/99	64 FR 37683

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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RIN: 2060-AI91**3697. AMENDMENTS TO THE NESHAP: HALOGENATED SOLVENT CLEANING****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 63**Completed:**

Reason	Date	FR Cite
Final Action	12/03/99	64 FR 67793

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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RIN: 2060-AJ01

3698. NESHAP: OIL AND NATURAL GAS PRODUCTION AND NATURAL GAS TRANSMISSION AND STORAGE; AMENDMENTS**Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 63 (Revision)**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency Plans No Further Action	08/15/00	

EPA—Clean Air Act (CAA)

Completed Actions

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Greg Nizich
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Email: smith.martha@epa.gov**RIN:** 2060-AJ08**3699. DIRECT FINAL AMENDMENTS TO THE POLYETHER POLYOLS NESHAP****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 63.1420 to 1439 (Revision)**Completed:**

Reason	Date	FR Cite
Direct Final Rule	05/08/00	65 FR 26491

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Penny Lassiter
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Email: rosensteel.bob@epa.gov**RIN:** 2060-AJ10**3700. EXTENDING OPERATING PERMITS PROGRAM INTERIM APPROVAL EXPIRATION DATES****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 70 (Revision)**Completed:**

Reason	Date	FR Cite
Final Action	05/22/00	65 FR 32035

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Local**Agency Contact:** Roger Powell
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Email: powell.roger@epa.gov**RIN:** 2060-AJ12**3701. ELECTRIC ARC FURNACE NSPS AMENDMENT****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 60 (Revision)**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency Plans No Further Action	08/15/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal, State, Local, Tribal**Agency Contact:** Kevin Cavender
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Environmental Protection Agency (EPA)

Atomic Energy Act (AEA)

Proposed Rule Stage

3702. PROTECTIVE ACTION GUIDANCE FOR DRINKING WATER**Priority:** Other Significant**Legal Authority:** EO 12241; 42 USC 2021(h) AEA of 1954 sec 274(h); Reorganization Plan No. 3 of 1970; PL 96-295 sec 304**CFR Citation:** 41 CFR 351**Legal Deadline:** None**Abstract:** This action will result in Federal protective action guidance (PAG) for State and local officials to use in the event of a nuclear accident to protect the general public from the adverse health effects associated with the ingestion of drinking water that is contaminated with radioactive material. The PAG will be incorporated into the Revision of the PAG Manual. The draft guidance will be submitted to the PAG Subcommittee of the Federal Radiological Preparedness Coordinating Committee (FRPCC) for review and comment. Members of the PAG subcommittee include representatives from DOE, DOD, FEMA, NRC, HHS, USDA, DOT, and the Conference of Radiation Control Program Directors

(CRCPD). When a consensus among the representatives is reached, the guidance is recommended to the full FRPCC for endorsement. After that endorsement is obtained a notice of the availability of a revised EPA 400-R-92-001, Manual of Protective Action Guides and Protective Actions for Nuclear Incidents will be published in the Federal Register. This action is temporarily delayed until the FDA's revised PAGs for Food can be evaluated.

Timetable:

Action	Date	FR Cite
Notice of Availability	09/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** State, Local**Additional Information:** SAN No. 3602**Agency Contact:** Charles Blue, Environmental Protection Agency, Air and Radiation, 6608J, Washington, DC 20460
Phone: 202 564-9488**RIN:** 2060-AF39**3703. ENVIRONMENTAL RADIATION PROTECTION STANDARDS FOR THE DISPOSAL OF LOW-ACTIVITY MIXED RADIOACTIVE WASTE****Priority:** Other Significant**Legal Authority:** 42 USC 2021 Atomic Energy Act of 1954; Reorganization Plan No. 3 of 1970; Nuclear Waste Policy Act of 1982**CFR Citation:** 40 CFR 193**Legal Deadline:** None**Abstract:** This voluntary action will allow low-activity mixed radioactive wastes to be disposed in facilities that meet the design requirements for RCRA-C disposal cells. The wastes intended to be disposed of in these cells are mixed wastes, consisting of a chemically hazardous component and low levels of radioactivity. These wastes are anticipated to arise in the commercial sector from various sources. The rule is intended to increase disposal options for these wastes and offer a streamlined regulatory process which melds hazardous chemical protection and radioactivity protection requirements

EPA—Atomic Energy Act (AEA)

Proposed Rule Stage

while protecting public health and safety. The rule does not mandate a disposal method, but rather permits an alternative to existing disposal methods. The U.S. Nuclear Regulatory Commission is anticipated to be the implementing Agency for the application of this rule.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Additional Information: SAN No. 4054

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RIN: 2060-AH63

3704. REVISION OF THE 40 CFR PART 194 WASTE ISOLATION PILOT PLANT COMPLIANCE CRITERIA

Priority: Substantive, Nonsignificant

Legal Authority: PL 102-579; PL 104-201; Waste Isolation Pilot Plant Land Withdrawal Act of 1992; 106 Stat. 4777

as amended by the 1996 LWA Amendments

CFR Citation: 40 CFR 194.8(b)

Legal Deadline: None

Abstract: This rule would change some of the language in Section 194.8(b) of the Waste Isolation Pilot Plant (WIPP) Compliance Criteria without deleting any of the requirements for the Department of Energy's (DOE) compliance. Section 194.8(b) explains the process by which EPA inspects and approves waste characterization processes at DOE transuranic waste sites that send waste to the WIPP. The 194.8(b) process involves a public comment period. Most of the language in Section 194.8(b) will be left intact. The most significant change would eliminate a statement that EPA will follow the 194.8(b) notice-and-comment process each time a previously approved site seeks to send a different "waste stream" to the WIPP. Other changes would correct certain terminology and clarify the important elements of our inspections. This rule would eliminate the ambiguity of the current language and replace it with: (1) a site can ship waste once EPA has approved it using a notice-and-comment process; (2) EPA will perform follow-up inspections under a separate authority that does not call for public comment; and (3) EPA can disallow shipment if an initial or follow-up inspection reveals significant

compliance issues. The main purpose of this revision is to eliminate EPA's obligation to approve DOE sites on a waste stream by waste stream basis. Our understanding of DOE's operations has improved considerably since 194.8(b) went final in May 1998. We now recognize that approving sites by waste stream, using a comment period, is unnecessarily time-consuming for EPA staff, confusing for DOE, and generates almost no public comment. In addition, repetitive inspections at sites are expensive and provide little additional regulatory confidence. This rule will save money and will greatly improve the effectiveness of our interactions with DOE.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Additional Information: SAN No. 4403

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RIN: 2060-AJ07

Environmental Protection Agency (EPA)

Proposed Rule Stage

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3705. DATA REQUIREMENTS FOR PESTICIDE REGISTRATION (REVISION)

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 136(a) to 136(y)

CFR Citation: 40 CFR 158

Legal Deadline: None

Abstract: EPA will update the data requirements specifically necessary for the Agency to evaluate the registrability of pesticide products. The revisions will clarify all data requirements to reflect current practice. Procedural and explanatory sections of the current regulations will be amended to make them consistent with the revised data requirements and new use indexing. EPA intends to accomplish this revision through a series of proposals,

covering different data disciplines and product types.

Timetable:

Action	Date	FR Cite
NPRM 1 - Environmental Fate, Ecological Effects and Efficacy Portions	04/00/01	
NPRM 2 - Toxicology, Exposure and Residue Chemistry Portions	04/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: SAN No. 2687

Sectors Affected: 32532 Pesticide and Other Agricultural Chemical Manufacturing

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RIN: 2070-AC12

EPA—Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

Proposed Rule Stage

3706. ENDOCRINE DISRUPTOR SCREENING PROGRAM

Regulatory Plan: This entry is Seq. No. 121 in Part II of this issue of the Federal Register.

RIN: 2070–AD26

3707. PESTICIDES; PROCEDURES FOR REGISTRATION REVIEW PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 136(a)(g); 7 USC 136(w)

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Agency is establishing procedures to implement section 3(g) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) which provides for periodic review of pesticide registrations. The goal of these regulations is to review a pesticide's registration every 15 years.

Timetable:

Action	Date	FR Cite
ANPRM	04/26/00	65 FR 24586
NPRM	04/00/01	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: SAN No. 4170

Sectors Affected: 32519 Other Basic Organic Chemical Manufacturing; 32532 Pesticide and Other Agricultural Chemical Manufacturing; 32551 Paint and Coating Manufacturing; 32561 Soap and Cleaning Compound Manufacturing

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RIN: 2070–AD29

3708. DATA REQUIREMENTS FOR ANTIMICROBIAL REGISTRATIONS; PRODUCT CHEMISTRY REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 136a, 136c, 136w

CFR Citation: 40 CFR 158

Legal Deadline: None

Abstract: EPA will update and revise its pesticide data requirements for antimicrobial products. The data requirements specify the data that are required for EPA to evaluate the registrability of a pesticide product. The revisions will clarify all antimicrobial data requirements to reflect current practice.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: SAN No. 4173

Sectors Affected: 32519 Other Basic Organic Chemical Manufacturing; 32532 Pesticide and Other Agricultural Chemical Manufacturing; 32551 Paint and Coating Manufacturing; 32561 Soap and Cleaning Compound Manufacturing

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RIN: 2070–AD30

3709. REGISTRATION OF GRANULAR FERTILIZER-PESTICIDE COMBINATION PRODUCTS

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 136

CFR Citation: 40 CFR 152.43

Legal Deadline: None

Abstract: This propose rule would allow the registration of multiple products consisting of granular pesticide-fertilizer combinations under a single registration. The result of this regulatory change would be to streamline the registration process for such products, reduce paperwork burdens and costs for producers of pesticide-fertilizer combination products.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: SAN No. 4347

Sectors Affected: 32532 Pesticide and Other Agricultural Chemical Manufacturing

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RIN: 2070–AD40

Environmental Protection Agency (EPA)

Final Rule Stage

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3710. TOLERANCES FOR PESTICIDE EMERGENCY EXEMPTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 21 USC 346(a)

CFR Citation: 40 CFR 176

Legal Deadline: Final, Statutory, August 3, 1997.

Abstract: This regulation will set out policies and procedures under which EPA will establish food tolerances associated with the use of pesticides

EPA—Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

Final Rule Stage

under emergency exemptions. Emergency exemptions are issued for temporary use of pesticides where emergency conditions exist. Under the Federal Food, Drug and Cosmetic Act, as amended by the Food Quality Protection Act, EPA must establish time-limited tolerances for such pesticides if the use is likely to result in residues in food. EPA expects to describe the procedures to be used, and the criteria for establishing tolerances.

Timetable:

Action	Date	FR Cite
NPRM	06/03/99	64 FR 29823
Final Action	10/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal, State**Additional Information:** SAN No. 3890

NPRM-<http://www.epa.gov/fedrgstr/EPA-PEST/1999/June/Day-03/p14070.htm>

Sectors Affected: 111 Crop Production; 112 Animal Production; 9241 Administration of Environmental Quality Programs

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RIN: 2070-AD15**3711. PESTICIDES; TOLERANCE PROCESSING FEES****Priority:** Substantive, Nonsignificant**Legal Authority:** 21 USC 346(a)**CFR Citation:** 40 CFR 180.33**Legal Deadline:** None

Abstract: In 1996, the Food Quality Protection Act amended the Federal Food, Drug, and Cosmetic Act to require EPA to charge tolerance fees that, in the aggregate, will cover all costs associated with processing

tolerance actions, including filing a tolerance petition, and establishing, modifying, leaving in effect, or revoking a tolerance or tolerance exemption. Since 1983 (the last time a cost analysis was conducted), factors such as expanded data requirements, changes in risk assessment methods, improvements in data base management and tracking systems, and the increasing complexity of scientific review of petitions have resulted in costs substantially exceeding the fees currently charged. This rule will adjust the fee structure and fee amounts for tolerance actions.

Timetable:

Action	Date	FR Cite
NPRM	06/09/99	64 FR 31039
Supplemental NPRM Processing Fees for Inert Ingredients	07/24/00	65 FR 45569
Final Action	10/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** Federal**Additional Information:** SAN No. 4027

NPRM-<http://www.epa.gov/fedrgstr/EPA-PEST/1999/June/Day-09/p14477.htm>

Supplemental NPRM-
<http://www.epa.gov/fedrgstr/EPA-PEST/2000/July/Day-24/p18646.htm>

Sectors Affected: 32532 Pesticide and Other Agricultural Chemical Manufacturing

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RIN: 2070-AD23**3712. PLANT-INCORPORATED PROTECTANTS; FIFRA RULE AND FFDCA TOLERANCE ACTIONS**

Regulatory Plan: This entry is Seq. No. 137 in Part II of this issue of the Federal Register.

RIN: 2070-AC02**3713. PESTICIDE MANAGEMENT AND DISPOSAL****Priority:** Other Significant**Legal Authority:** 7 USC 136 et seq**CFR Citation:** 40 CFR 165**Legal Deadline:** None

Abstract: This action develops procedures for mandatory and voluntary recall actions under section 19(b) of FIFRA and would establish criteria for acceptable storage and disposal plans which registrants may submit to this Agency to become eligible for reimbursement of storage costs. This action establishes procedures for indemnification of owners of suspended and canceled pesticides for disposal.

Timetable:

Action	Date	FR Cite
NPRM	05/05/93	58 FR 26856
Final Action	05/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** Federal, State**Additional Information:** SAN No. 3432

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RIN: 2020-AA33**3714. GROUNDWATER AND PESTICIDE MANAGEMENT PLAN**

Regulatory Plan: This entry is Seq. No. 138 in Part II of this issue of the Federal Register.

RIN: 2070-AC46

EPA—Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

Final Rule Stage

3715. WPS; PESTICIDE WORKER PROTECTION STANDARD; GLOVE AMENDMENT**Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 7 USC 136(w)**CFR Citation:** 40 CFR 170**Legal Deadline:** None**Abstract:** This final rule would create greater flexibility in requirements of the 1992 Worker Protection Standard related to the use of gloves by workers and applicators.**Timetable:**

Action	Date	FR Cite
NPRM	09/09/97	62 FR 47544
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal**Additional Information:** SAN No. 3731NPRM-<http://www.epa.gov/fedrgstr/EPA-PEST/1997/September/Day-09/p23833.htm>**Sectors Affected:** 111 Crop Production; 1114 Greenhouse, Nursery and Floriculture Production; 1131 Timber Tract Operations; 115 Support Activities for Agriculture and Forestry**Agency Contact:** Jean Frane, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7506C, Washington, DC 20460
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include labeling standards for public health antimicrobial products. This regulation will also implement some general provisions of FIFRA pertaining to all pesticides, including labeling requirements. EPA intends to promulgate these provisions separately from the antimicrobial portion of the proposal.

Timetable:

Action	Date	FR Cite
NPRM	09/17/99	64 FR 50671
Final Action - Labeling and Other Regulatory Portions	12/00/00	
Final Action - Antimicrobial Procedural Portion Only	01/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** Federal**Additional Information:** SAN No. 3892**Sectors Affected:** 32519 Other Basic Organic Chemical Manufacturing; 32531 Fertilizer Manufacturing; 32532 Pesticide and Other Agricultural Chemical Manufacturing; 32551 Paint and Coating Manufacturing; 32561 Soap and Cleaning Compound Manufacturing; 42269 Other Chemical and Allied Products Wholesalers; 42291 Farm Supplies Wholesalers**Agency Contact:** Jean M. Frane, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7506C, Washington, DC 20460

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Environmental Protection Agency (EPA)

Long-Term Actions

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

3717. PESTICIDE TOLERANCE REASSESSMENT PROGRAM**Priority:** Other Significant**Legal Authority:** 21 USC 346(a)(q)**CFR Citation:** 40 CFR 180**Legal Deadline:** Other, Statutory, August 3, 2002, See additional information.**Abstract:** EPA will reassess pesticide tolerances and exemptions for raw and

processed foods established prior to August 3, 1996, to determine whether they meet the reasonable certainty of no harm standard of the Federal Food, Drug and Cosmetic Act (FFDCA). FFDCA section 408(q), as amended by the Food Quality Protection Act (FQPA). FQPA requires that EPA conduct this reassessment on a phased 10-year schedule. Based on its reassessment, EPA will take a series of regulatory actions to modify or revoke

tolerances. Since such actions are issued on a chemical-by-chemical basis, this regulatory plan entry does not list the individual actions that are likely to occur under this program. For status information about the individual chemicals, go to <http://www.epa.gov/pesticides>.

EPA—Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

Long-Term Actions

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** Federal**Additional Information:** SAN No. 4175

LEGAL DEADLINE CONT: EPA is required to complete reassessments on a phased schedule of: 33 percent by August 3, 1999; 66 percent by August 3, 2002; and 100 percent by August 3, 2006. The Agency will continue to access pesticide tolerances throughout year.

Sectors Affected: 32532 Pesticide and Other Agricultural Chemical Manufacturing

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RIN: 2070-AD24**3718. POLICY OR PROCEDURES FOR NOTIFICATION TO THE AGENCY OF STORED PESTICIDES WITH CANCELLED OR SUSPENDED REGISTRATION****Priority:** Other Significant**Legal Authority:** 7 USC 136 FIFRA sec 6**CFR Citation:** 40 CFR 168**Legal Deadline:** None

Abstract: This policy will clarify the requirements of section 6(g) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The policy will provide procedures for certain persons who possess canceled or suspended pesticides to notify the EPA and State and local officials of (1) such possessions; (2) the quantity possessed; and (3) the place the pesticide is stored.

Timetable:

Action	Date	FR Cite
NPRM	03/28/91	56 FR 13042
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal, State**Federalism:** Undetermined**Additional Information:** SAN No. 2720

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RIN: 2020-AA29**3719. PESTICIDE MANAGEMENT AND DISPOSAL: STANDARDS FOR PESTICIDE CONTAINERS AND CONTAINMENT****Priority:** Other Significant

Legal Authority: 7 USC 136(q) FIFRA sec 19; 7 USC 136(a) FIFRA sec 3; 7 USC 136(w) FIFRA sec 25

CFR Citation: 40 CFR 156; 40 CFR 165**Legal Deadline:** Final, Statutory, December 24, 1991.

Abstract: FIFRA section 19 gives EPA authority to regulate the management of pesticides and their containers, including storage, transportation and disposal. As proposed, this rule would establish standards for removal of pesticides from containers and for rinsing containers; facilitate the safe use, refill, reuse, and disposal of pesticide containers by establishing standards for container design, labeling and refilling; and establish requirements for containment of stationary bulk containers and for containment of pesticide dispensing areas.

Timetable:

Action	Date	FR Cite
NPRM (Container Design & Residue Removal & Bulk Containment)	02/11/94	59 FR 6712
Supplemental NPRM	10/21/99	64 FR 56918
Supplemental NPRM Extension of Comment Period	12/21/99	64 FR 71368
Supplemental NPRM Extension of Comment Period	02/24/00	65 FR 9234
Final Action	10/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** Federal**Additional Information:** SAN No. 2659

Supplemental NPRM-
<http://www.epa.gov/fedrgstr/EPA-PEST/1999/October/Day-21/p27397.htm>

Sectors Affected: 32532 Pesticide and Other Agricultural Chemical Manufacturing; 11511 Support Activities for Crop Production

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RIN: 2070-AB95**3720. REGULATORY REVIEW OF PESTICIDE EMERGENCY EXEMPTION REGULATIONS****Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 7 USC 136(p)**CFR Citation:** 40 CFR 166**Legal Deadline:** None

Abstract: EPA will propose revisions to its regulations on emergency exemptions under section 18 of the Federal Insecticide, Fungicide and Rodenticide Act. Emergency exemptions allow temporary use of a pesticide not in accordance with registration requirements when emergency conditions exist. In the 1995 Presidential Reinvention Initiative, EPA identified a number of issues and options for change, which have been refined through informal discussions with States, user groups, and other

EPA—Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

Long-Term Actions

stakeholders. EPA is considering revisions in four areas: (1) Options for increased authority for States to administer certain aspects of the exemption process, or increased use by EPA of multiyear exemptions, or some combination of these; (2) the use of emergency exemptions to address pesticide resistance; (3) the possibility of granting of exemptions based upon reduced risk considerations; and (4) definitions of emergency situation and significant economic loss, which affect whether an exemption may be granted.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Tribal

Federalism: Undetermined

Additional Information: SAN No. 4216

Sectors Affected: 9241 Administration of Environmental Quality Programs

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RIN: 2070-AD36

**Environmental Protection Agency (EPA)
Toxic Substances Control Act (TSCA)**

Prerule Stage

**3721. CHEMICAL RIGHT-TO-KNOW
INITIATIVE - HIGH PRODUCTION
VOLUME (HPV) CHEMICALS**

Regulatory Plan: This entry is Seq. No. 108 in Part II of this issue of the **Federal Register**.

RIN: 2070-AD25

**Environmental Protection Agency (EPA)
Toxic Substances Control Act (TSCA)**

Proposed Rule Stage

**3722. TEST RULE; ATSDR
SUBSTANCES**

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2603 TSCA 4; 42 USC 9604(i) CERCLA 104(i); 15 USC 2611 TSCA 12

CFR Citation: 40 CFR 790 to 799

Legal Deadline: None

Abstract: EPA is proposing a test rule under section 4(a) of the Toxic Substances Control Act (TSCA) requiring manufacturers and processors of certain chemicals to fulfill data needs identified by the Agency for Toxic Substances and Disease Registry (ATSDR), the National Toxicology Program (NTP), and EPA pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) section 104(i).

Under CERCLA, ATSDR is to establish a list of priority hazardous substances found at superfund sites, develop toxicological profiles for the hazardous substances, identify priority data needs, and establish a research program obtaining the necessary data. This

action is a component of ATSDR's research program.

Data from this action would provide specific information about the substances for the public and scientific community. The information would be used in conducting comprehensive public health assessments of populations living near hazardous waste sites. Scientific data improves the quality of risk assessments used by EPA, other Federal agencies, and State and local governments. The risk assessments affect standards, guidelines, listing/delisting, and other decisions affecting public health and the environment.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 2563

Sectors Affected: 32411 Petroleum Refineries; 325 Chemical Manufacturing

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RIN: 2070-AB79

**3723. VOLUNTARY CHILDREN'S
CHEMICAL EVALUATION TESTING
PROGRAM**

Priority: Other Significant

Legal Authority: 15 USC 2603 TSCA 4; 15 USC 2611 TSCA 12; 15 USC 2625 TSCA 26

CFR Citation: 40 CFR 790 to 799

EPA—Toxic Substances Control Act (TSCA)

Proposed Rule Stage

Legal Deadline: None

Abstract: EPA has held public meetings to involve stakeholders in the design and development of a voluntary program to evaluate commercial chemicals to which children may have a high likelihood of exposure. The purpose of the voluntary testing program is to obtain toxicity and exposure data needed to assess the risk of childhood exposure to commercial chemicals. The information which is developed in the course of the stakeholder involvement process for the a voluntary testing program may also be considered in the development of a test rule. If an adequate voluntary children's chemical evaluation program fails to emerge from the stakeholder involvement process, EPA may proceed with development of a test rule under section 4 of the Toxic Substances Control Act (TSCA). The purpose of any future children's health initiatives or test rules, is to improve our understanding of the risks posed to children's health by chemicals to which they may be exposed in the home, school, and the environment.

Timetable:

Action	Date	FR Cite
Notice - Initiation of Stakeholder Process - Notice of Public Meetings	08/26/99	64 FR 46673
Notice - Solicitation of Participation for Voluntary Testing Program	10/00/00	
NPRM	09/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** Federal, State, Local, Tribal**Additional Information:** SAN No. 2865**Sectors Affected:** 32411 Petroleum Refineries; 325 Chemical Manufacturing

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RIN: 2070-AC27**3724. MULTI-CHEMICAL TEST RULE; HIGH PRODUCTION VOLUME CHEMICALS****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 2603; 15 USC 2611-12; 15 USC 2625-26**CFR Citation:** 40 CFR 790 to 799**Legal Deadline:** None

Abstract: This action is related to a challenge to industry on the eve of Earth Day, April 21, 1998, to come forward quickly with needed test data on high production volume (HPV) chemicals. This challenge encompasses approximately 2,800 chemicals which are manufactured (including imported) in the aggregate at more than 1 million pounds on an annual basis. The data needed on these chemicals are: acute toxicity, repeat dose toxicity, developmental and reproductive toxicity; mutagenicity; ecotoxicity and environmental fate. This rule will require testing and recordkeeping requirements for certain chemicals for which industry does not voluntarily agree to provide testing in a timely manner. The action is part of the Chemical Right-to-Know Initiative, which is described in the Regulatory Plan. Industry has volunteered to conduct needed testing on over 2000 of these HPV chemicals. The first rule will propose testing for unsponsored HPV chemicals with substantial worker exposure. Future rules will encompass the remaining chemicals.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** Federal, State, Local, Tribal**Additional Information:** SAN No. 3990

See also the Regulatory Plan entry entitled Chemical Right-to-Know Initiative (RIN 2070-AD25; SAN 4176).

Sectors Affected: 32411 Petroleum Refineries; 325 Chemical Manufacturing

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RIN: 2070-AD16**3725. TSCA SECTION 4 ENFORCEABLE CONSENT AGREEMENT FOR CERTAIN OXYGENATED FUEL ADDITIVES****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 2603; 15 USC 2611; 15 USC 2625**CFR Citation:** 40 CFR 790 to 799**Legal Deadline:** None

Abstract: EPA's Office of Air and Radiation (OAR/EPA) in the administration of section 211 of the Clean Air Act (CAA), has requested that OPPT use its TSCA section 4 testing authority to obtain health effects data on a number of Oxygenated Fuel Additives (OFAs). These data are needed by EPA and others to increase understanding of the toxicity of these substances individually and in comparison to each other as well as to other OFAs such as methy t-butyl ether (MTBE).

Timetable:

Action	Date	FR Cite
Notice - Solicit Interested Parties	01/00/01	
Notice - ECA	12/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** SAN No. 4174**Sectors Affected:** 32411 Petroleum Refineries; 325 Chemical Manufacturing

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EPA—Toxic Substances Control Act (TSCA)

Proposed Rule Stage

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RIN: 2070-AD28

3726. FOLLOW-UP RULES ON EXISTING CHEMICALS**Priority:** Routine and Frequent**Legal Authority:** 15 USC 2604 TSCA 5; 15 USC 2607 TSCA 8**CFR Citation:** 40 CFR 704; 40 CFR 721; 40 CFR 707; 40 CFR 710**Legal Deadline:** None

Abstract: EPA has established a program to monitor the commercial development of existing chemicals of concern and/or to gather information to support planned or ongoing risk assessments on such chemicals. As these chemicals are identified, EPA will initiate rulemakings under the Toxic Substances Control Act (TSCA) sections 5 and/or 8 to require reporting of appropriate needed information by the manufacturers, importers and/or processors of these chemicals. Individual proposed or final rules will be published on at least the chemicals listed below.

Timetable:

Action	Date	FR Cite
NPRM 2,4-Pentanedione SNUR	09/27/89	54 FR 39548
NPRM Chloranil	05/12/93	58 FR 27980
NPRM Benzidine-based Chemical Substances	08/30/95	60 FR 45119
Final Action Benzidine-based Chemical Substances	10/07/96	61 FR 52287
NPRM Flame Retardant Chemicals	12/00/00	
NPRM Amendment to Benzidine-based Chemical Substances SNUR	12/00/00	
Final Action Amendment to Benzidine-based Chemical Substances SNUR	06/00/01	

Action	Date	FR Cite
NPRM 2,4-Pentanedione SNUR (Reproposal)	12/00/00	
Final Action Final Chloranil SNUR	06/00/01	
NPRM Certain Chemical Substances No Longer in Production SNUR	10/00/01	
NPRM Heavy Metal-Based Pigments in Aerosol Spray Paints SNUR	12/00/00	
NPRM o-Tolidine & o-Dianisidine-based Dyes (Benzidine Congener Dyes)	12/00/00	
NPRM Methylcyclopentane SNUR	05/00/01	
NPRM p-Aminophenol & Bromochloromethane 8(a) Chemical Specific Rule	05/00/01	
NPRM 2-Ethoxyethanol & 2-Methoxyethanol & 2-Methoxyethanol Acetate	05/00/01	
NPRM Certain Perfluoroalkyl Sulfonfyl-Containing Chemical Substances	10/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** Federal**Additional Information:** SAN No. 1923**Sectors Affected:** 325 Chemical Manufacturing; 32411 Petroleum Refineries

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RIN: 2070-AA58

3727. • CERTAIN PERFLUOROALKYL SULFONYL (PFOS) CONTAINING CHEMICAL SUBSTANCES; SIGNIFICANT NEW USE RULE**Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 2604 TSCA 5**CFR Citation:** 40 CFR 704; 40 CFR 721**Legal Deadline:** None

Abstract: EPA is proposing a significant new use rule (SNUR) under section 5 of the Toxic Substances Control Act (TSCA) covering certain perfluoroalkyl sulfonyl-containing chemical substances. This SNUR would require companies who wanted to manufacture or import these chemicals for the significant new uses described in the proposed rule to submit a Significant New Use Notice (SNUN) to the Agency at least 90 days prior to beginning those activities.

Timetable:

Action	Date	FR Cite
NPRM PFOS SNUR	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** SAN No. 4475**Sectors Affected:** 325 Chemical Manufacturing

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RIN: 2070-AD43

EPA—Toxic Substances Control Act (TSCA)

Proposed Rule Stage

3728. LEAD-BASED PAINT ACTIVITIES; TRAINING AND CERTIFICATION FOR RENOVATION AND REMODELING SECTION 402(C)(3)

Regulatory Plan: This entry is Seq. No. 120 in Part II of this issue of the Federal Register.

RIN: 2070-AC83

3729. LEAD; NOTIFICATION REQUIREMENTS FOR LEAD-BASED PAINT ABATEMENT ACTIVITIES AND TRAINING

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2682 TSCA 402; 15 USC 2687 TSCA 407; PL 102-550

CFR Citation: 40 CFR 745

Legal Deadline: None

Abstract: EPA is issuing this rule under the authority of Section 407 of the Toxic Substances Control Act (TSCA) to establish notification procedures for lead abatement professionals (certified under 40 CFR 745.226) conducting lead-based paint activities, and training programs (accredited under 40 CFR 225)

providing lead-based paint activities courses. Specifically, this rule seeks to establish procedures to notify the Agency prior to commencement of lead-based paint abatement activities as required by 40 CFR 745.227(e)(4). In addition, this rule seeks to establish provisions which would require training programs accredited under 40 CFR 745.225 to notify the Agency under the following conditions: (1) prior to providing lead-based paint activities, training, and (2) following completion of lead-based paint activities courses. These notification requirements are necessary to provide EPA compliance monitoring and enforcement personnel with information necessary to track compliance activity and to prioritize inspections. This rule supports 40 CFR part 745, subpart L to ensure that lead abatement professionals who inspect, assess and remove lead-based paint, dust or soil are well qualified, trained, and certified to conduct these activities.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	
Final Action	08/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 4172

Sectors Affected: 611519 Other Technical and Trade Schools

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RIN: 2070-AD31

Environmental Protection Agency (EPA)

Final Rule Stage

Toxic Substances Control Act (TSCA)

3730. TSCA INVENTORY UPDATE RULE AMENDMENTS

Regulatory Plan: This entry is Seq. No. 139 in Part II of this issue of the Federal Register.

RIN: 2070-AC61

3731. LEAD; IDENTIFICATION OF DANGEROUS LEVELS OF LEAD PURSUANT TO TSCA SECTION 403

Regulatory Plan: This entry is Seq. No. 140 in Part II of this issue of the Federal Register.

RIN: 2070-AC63

3732. LEAD; MANAGEMENT AND DISPOSAL OF LEAD-BASED PAINT DEBRIS SECTION 402(A)

Priority: Other Significant

Legal Authority: 15 USC 2601 to 2671; 42 USC 6901 to 6992

CFR Citation: 40 CFR 745

Legal Deadline: None

Abstract: Currently, waste derived from lead-based paint (LBP) abatements is managed under the Resource Conservation and Recovery Act (RCRA) hazardous waste regulations. Other Federal agencies (Department of Housing and Urban Development, Department of Health and Human Services) and several States and advocacy groups have expressed concern that the costs associated with the disposal of large volume architectural components (e.g., doors and windows) may interfere with abatement activities. EPA's Office of Prevention, Pesticides and Toxic Substances and the Office of Solid Waste have initiated a joint rulemaking to address the disposal of these architectural components. This rulemaking would develop disposal standards for these components under the Toxic Substances Control Act (TSCA) title IV, (the definition of abatement under TSCA title IV, section 401(1)(B), includes disposal). The TSCA regulations would establish

appropriate disposal standards for LBP architectural components and identify recycling and incineration activities that would be controlled or prohibited. To minimize duplication of waste management requirements, EPA is developing a companion RCRA rule to suspend temporarily hazardous waste management regulations applicable to lead-based paint debris which will be subject to the new TSCA standards.

Timetable:

Action	Date	FR Cite
NPRM TSCA Proposal	12/18/98	63 FR 70189
Extension of Comment Period	02/12/99	64 FR 7158
Extension of Comment Period	02/12/99	64 FR 7159
Final Action	08/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, State, Local, Tribal

EPA—Toxic Substances Control Act (TSCA)

Final Rule Stage

Additional Information: SAN No. 3508

This SAN and RIN includes RCRA companion rule: Temporary Suspension of Toxicity Characteristic Rule for Specified Lead-Based Paint Debris.,

NPRM-<http://www.epa.gov/fedrgstr/EPA-TRI/1998/December/Day-18/tri33326.htm>

Sectors Affected: 233 Building, Developing and General Contracting; 23321 Single Family Housing Construction; 23332 Commercial and Institutional Building Construction; 23521 Painting and Wall Covering Contractors; 23542 Drywall, Plastering, Acoustical and Insulation Contractors; 23511 Plumbing, Heating and Air-Conditioning Contractors; 23594 Wrecking and Demolition Contractors; 23592 Glass and Glazing Contractors; 54138 Testing Laboratories; 562111 Solid Waste Collection

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RIN: 2070-AC72

3733. TEST RULES; GENERIC ENTRY FOR FINAL DECISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2603 TSCA 4; 15 USC 2611 TSCA 12

CFR Citation: 40 CFR 790 to 799

Legal Deadline: None

Abstract: EPA is requiring testing via rules, or will obtain testing through enforceable consent agreements (ECAs) or publish a notice which provides the reasons for not doing so for chemicals listed herein. These chemicals have been designated for priority testing consideration by the ITC or recommended for testing consideration (for which the 12-month statutory requirement does not apply). The list also includes chemicals or categories of chemicals which have been identified

for testing consideration by other Federal or other EPA offices through EPA review processes.

Timetable:

Action	Date	FR Cite
ANPRM Aryl Phosphates (ITC List 2)	12/29/83	48 FR 57452
NPRM Aryl Phosphates (ITC List 2)	01/17/92	57 FR 2138
NPRM Brominated Flame Retardants	06/25/91	56 FR 29140
Final Action-ECA DiBasic Esters (CPSC)	08/05/99	64 FR 42692
Final Action-ECA 1,1,2-Trichloroethane (TCE)	06/15/00	65 FR 37550
Final Action ITC Chemicals (ITC List 28)	12/00/00	
Final Action-ECA Aryl Phosphates (ITC List 2)	06/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: SAN No. 3493

Sectors Affected: 32411 Petroleum Refineries; 325 Chemical Manufacturing

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RIN: 2070-AB94

3734. TEST RULE; HAZARDOUS AIR POLLUTANTS (HAPS)

Priority: Other Significant

Legal Authority: 15 USC 2603 TSCA 4; 42 USC 7412 CAA 112; 42 USC 7403 CAA 103; 15 USC 2611 TSCA 12

CFR Citation: 40 CFR 790 to 799

Legal Deadline: None

Abstract: EPA is proposing health effects testing under TSCA section 4 in support of programs and activities required under section 112 of the Clean Air Act (CAA), governing Hazardous Air Pollutants (HAPs). Section 112 of the CAA directs EPA to determine the risk to health and the environment remaining after application of technology-based emissions standards to major and area sources. Section 112 also sets forth a mechanism for revising and modifying the statutory list of 189 HAPs under section 112(b), and requirements for an accidental release control program. These data will also be important for the right-to-know program given the large release of these chemicals to the atmosphere. In order to implement these and other programs and requirements under section 112, EPA must identify the health and environment effects of potential concern from exposure to HAPs, ascertain the minimum data needed to adequately characterize those health and environmental effects, and assess the risks posed by HAPs. In addition, under section 103(d), EPA is required to conduct a research program on the short- and long-term effects of air pollutants on human health, ascertain the minimum data needed to adequately characterize those health and environmental effects, and assess the risks posed by HAPs.

Timetable:

Action	Date	FR Cite
NPRM	06/26/96	61 FR 33178
Supplemental NPRM	12/24/97	62 FR 67466
Supplemental NPRM	04/21/98	63 FR 19694
Final Action	08/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: SAN No. 3487

Supplemental NPRM-
<http://www.epa.gov/fedrgstr/EPA-TOX/1997/December/Day-24/t33451.htm>

Supplemental NPRM-
<http://www.epa.gov/fedrgstr/EPA-AIR/1998/April/Day-21/a10494.htm>

Sectors Affected: 32411 Petroleum Refineries; 325 Chemical Manufacturing

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EPA—Toxic Substances Control Act (TSCA)

Final Rule Stage

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RIN: 2070-AC76

3735. TEST RULE; OSHA CHEMICALS DERMAL TESTING

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2603 TSCA 4; 15 USC 2611 TSCA 12

CFR Citation: 40 CFR 700 to 799

Legal Deadline: None

Abstract: EPA is proposing to require manufacturers (which is defined by statute to include importers) and processors of 47 chemical substances of interest to the Occupational Safety and Health Administration (OSHA) to conduct testing for in vitro dermal absorption rate testing. These chemicals, and others, were designated for in vitro dermal absorption rate testing in the 31st, 32nd, and 35th Reports of the TSCA section 4(e) Interagency Testing Committee (ITC) to the EPA. Each of the chemical substances included in this proposed rule is produced in an amount equal to or greater than one million pounds per year. In addition, each of the chemicals in this proposed rule was identified in the National Occupational Exposure Survey (NOES) as having a total potential worker exposure of greater than 1,000 workers. OSHA has indicated that it needs quantitative measures of dermal absorption rate in order to evaluate the potential hazard of these chemicals to workers.

Timetable:

Action	Date	FR Cite
NPRM - OSHA Chemicals Dermal Testing (ITC List 31, 32 & 35)	06/09/99	64 FR 31074
Final Action - OSHA Chemical Dermal Testing	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: SAN No. 4425

Please note that this entry was previously identified under RIN 2070-AB07. TSCA requires EPA to publish the NPRM within one year of ITC designation.

Sectors Affected: 32411 Petroleum Refineries; 325 Chemical Manufacturing

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RIN: 2070-AD42

3736. FOLLOW-UP RULES ON NON-5(E) NEW CHEMICAL SUBSTANCES

Priority: Routine and Frequent

Legal Authority: 15 USC 2604 TSCA sec 5

CFR Citation: 40 CFR 704; 40 CFR 721

Legal Deadline: None

Abstract: EPA regulates the commercial development of new chemicals that have completed premanufacture notice (PMN) review. In a PMN review, the Agency assesses whether or not a chemical's manufacture, import, process, distribution, use, or disposal outside the activities described in the PMN may present an unreasonable risk. EPA will issue Significant New Use Rules (SNURs) requiring 90-day notification to EPA from any manufacturer, importer, or processor who would engage in activities that are designated as significant new uses. Under the Expedited Follow-up Rule (EFUR) which became effective on October 12, 1989, EPA will identify such new chemicals and publish them in a batch SNUR 3-4 times per year. Chemicals that were subject to a proposed SNUR before the effective date of the EFUR or do not qualify under the EFUR, may be regulated individually by notice and comment rulemaking and are listed below.

Timetable:

Action	Date	FR Cite
NPRM Alkyl & Sulfonic Acid & Ammonium Salt (84-1056)	06/11/86	51 FR 21199
NPRM 1-Decanimine-N-Decyl-N-Methyl-N-Oxide (86-566)	12/08/87	52 FR 46496
NPRM Aluminum Cross-linked Sodium Carboxymethyl-cellulose	06/11/93	58 FR 32628
Final Action Alkyl & Sulfonic Acid & Ammonium Salt (84-1056)	12/00/00	
Final Action 1-Decanimine-N-Decyl-N-Methyl-N-Oxide (86-566)	12/00/00	
Final Action Aluminum Cross-linked Sodium Carboxymethyl-cellulose	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 1976

Sectors Affected: 324 Petroleum and Coal Products Manufacturing; 325 Chemical Manufacturing

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RIN: 2070-AA59

3737. CHEMICAL-SPECIFIC SIGNIFICANT NEW USE RULES (SNURS) TO EXTEND PROVISIONS OF SECTION 5(E) ORDERS

Priority: Routine and Frequent

Legal Authority: 15 USC 2604 TSCA sec 5

CFR Citation: 40 CFR 721

Legal Deadline: None

EPA—Toxic Substances Control Act (TSCA)

Final Rule Stage

Abstract: When the Agency determines that uncontrolled manufacture, import, processing, distribution, use or disposal of a premanufacture notification (PMN) substance may present an unreasonable risk, it may issue a section 5(e) consent order to limit these activities. However, such orders apply only to the PMN submitter. Once the new substance is entered on the Toxic Substances Control Act (TSCA) chemical inventory, others can manufacture, import or process the substance without controls. Therefore, EPA extends the controls to apply to others by designating manufacture, import or processing of the substances for uses without the specified controls as significant new uses. Under the Expedited Follow-Up Rule, which became effective on October 10, 1989 (54 FR 31314), EPA routinely publishes batch SNURs containing routine section 5(e) and non-5(e) SNURs. However, certain activities, such as modifications, withdrawals, revocations, and SNURs upon which comments are received in the direct final publication process, are subject to notice and comment rulemaking and are listed below.

Timetable:

Action	Date	FR Cite
NPRM Batch SNUR: 84-660/-704 & 84-105/-106/-107 & 85-433	05/27/93	58 FR 30744
Final Action Batch SNUR: 84-660/-704 & 84-105/-106/-107 & 85-433	11/00/00	
NPRM Aromatic Amino Ether (P90-1840)	06/06/94	59 FR 29255
Final Action Aromatic Amino Ether (P90-1840)	12/00/00	
NPRM Alkenyl Ether of Alkanetriol Polymer (93-458)	12/19/94	59 FR 65289
Final Action Alkenyl Ether of Alkanetriol Polymer (93-458)	12/00/00	
NPRM Certain Chemical Substances (91-1299/95-1667 91-1298 91-1297	06/26/97	62 FR 34421
Final Action Certain Chemical Substances (91-1299/95-1667 91-1298 91-1297	12/00/00	
NPRM Certain Chemical Substances	09/09/98	63 FR 48157

Action	Date	FR Cite
Final Action Certain Chemical Substances	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** SAN No. 3495**Sectors Affected:** 324 Petroleum and Coal Products Manufacturing; 325 Chemical Manufacturing**Agency Contact:** James Alwood, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7405, Washington, DC 20460

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RIN: 2070-AB27**3738. ACRYLAMIDE; PROHIBITION ON MANUFACTURE, IMPORTATION, DISTRIBUTION AND USE OF ACRYLAMIDE FOR GROUTING****Priority:** Other Significant**Legal Authority:** 15 USC 2605 TSCA sec 6; 15 USC 2607 TSCA sec 8**CFR Citation:** 40 CFR 764**Legal Deadline:** None

Abstract: On October 2, 1991, EPA proposed a regulation of acrylamide and NMA grouts based on the unreasonable risk associated with their usage. EPA's rule would prohibit the manufacture, distribution in commerce, and use of acrylamide grout. In February 1996, EPA reopened the record for 30 days to take additional comments, specifically to seek data on the relative durability of acrylamide and NMA grouts. The Agency has reviewed the comments and expects to promulgate the final rule in the fall of 2001.

Timetable:

Action	Date	FR Cite
NPRM	10/02/91	56 FR 49863

Action	Date	FR Cite
Notice Reopening Record for Comments on Durability of NMA Final Action	02/28/96	61 FR 7454
	09/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** Tribal, Local, Federal, State**Additional Information:** SAN No. 2779**Sectors Affected:** 23491 Water, Sewer, and Pipeline Construction; 23491 Water, Sewer, and Pipeline Construction; 32519 Other Basic Organic Chemical Manufacturing; 32519 Other Basic Organic Chemical Manufacturing; 42269 Other Chemical and Allied Products Wholesalers; 22132 Sewage Treatment Facilities**Agency Contact:** John Bowser, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7405, Washington, DC 20460

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RIN: 2070-AC17**3739. RECLASSIFICATION OF PCB AND PCB CONTAMINATED ELECTRICAL EQUIPMENT FINAL RULE****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 15 USC 2605 TSCA sec 6(e)**CFR Citation:** 40 CFR 761**Legal Deadline:** None**Abstract:** This rule would relax the regulatory requirements for reclassifying PCB transformers and other electrical equipment to a lower

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regulatory status by modifying the current reclassification requirements of 50 degree centigrade temperature and 90-day testing. Results of a preliminary analysis indicate that many transformers never reach the required temperature during operation, but retrofitting still successfully reduces PCB concentration. Safety risks to employees and to the general public occur in mandating the continued adherence to the current regulations. EPA may also address the reclassification of voltage regulators.

Timetable:

Action	Date	FR Cite
NPRM	11/18/93	58 FR 60970
Final Action	11/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal, State

Additional Information: SAN No. 3021

Sectors Affected: 211 Oil and Gas Extraction; 2211 Electric Power Generation, Transmission and Distribution; 31-33 Manufacturing; 5133 Telecommunications; 6113 Colleges, Universities and Professional Schools; 622 Hospitals; 921 Executive, Legislative, Public Finance and General Government

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RIN: 2070-AC39

3740. ASBESTOS WORKER PROTECTION RULE AMENDMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in

the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 2605 TSCA sec 6; 15 USC 2607 TSCA sec 15; 15 USC 2614 TSCA sec 15; 15 USC 2615 TSCA sec 16

CFR Citation: 40 CFR 763

Legal Deadline: None

Abstract: EPA is proposing to amend the Asbestos Abatement Projects, Worker Protection Rule (WPR), by incorporating certain revisions that were made to the Occupational Safety and Health Administration (OSHA) asbestos workplace standards issued since EPA's WPR was promulgated in 1987 to the extent that the OSHA revisions are consistent with applicable EPA statutes. The proposal would generally extend the coverage provided under the OSHA Asbestos Standard for Construction to State and local government employees who are not covered by OSHA or EPA approved State plans. In addition, EPA is proposing to amend the Asbestos-Containing Materials in Schools Rule by relocating certain worker protection provisions relating to schools, which are currently contained in that rule, to the WPR.

Timetable:

Action	Date	FR Cite
NPRM (1)	11/01/94	59 FR 54746
NPRM (2) Reproposal	04/27/00	65 FR 24806
Final Action	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: Federal, State, Local

Additional Information: SAN No. 2249

Also please see entry for 2070-AC62

Sectors Affected: 92111 Executive Offices; 92311 Administration of Education Programs; 92312 Administration of Public Health Programs; 92411 Air and Water Resource and Solid Waste Management

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RIN: 2070-AC66

3741. TSCA SECTION 8(A) PRELIMINARY ASSESSMENT INFORMATION RULES

Priority: Routine and Frequent

Legal Authority: 15 USC 2607(a) TSCA sec 8(a)

CFR Citation: 40 CFR 712

Legal Deadline: None

Abstract: These rules add chemicals to the list of chemicals and designated mixtures subject to the requirements of the Toxic Substances Control Act section 8(a) Preliminary Assessment Information Rule (40 CFR part 712). These chemicals have been identified by the Office of Pollution Prevention and Toxics, other EPA offices, and other Federal agencies, as well as recommended for testing consideration by the Interagency Testing Committee. Manufacturers and importers are required to submit exposure-related data (EPA Form No. 7710-35) on the chemicals. These data will be used to monitor the levels of production, import and/or processing of these substances and the avenues of human and environmental exposure to these substances. These data will also support risk assessment and test rule decisions.

Timetable:

Action	Date	FR Cite
Final Action 37th ITC List	02/28/96	61 FR 7421
Final Action 38th ITC List	10/29/96	61 FR 55871
Final Action 38th ITC List - Stay	12/11/96	61 FR 65186
Final Action 38th ITC List - Stay/Technical Amendments	01/07/98	63 FR 684
Final Action 38th ITC List - Revocation	01/11/00	65 FR 1548
Final Action 39th ITC List	01/11/00	65 FR 1548
Final Action 41st ITC List	07/05/00	65 FR 41371
Final Action 42nd ITC List	07/24/00	65 FR 45535
Final Action 47th ITC List	01/00/01	

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Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** SAN No. 2178**Sectors Affected:** 32411 Petroleum Refineries; 325 Chemical Manufacturing**Agency Contact:** Paul Campanella, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7405, Washington, DC 20460

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RIN: 2070—AB08**3742. TSCA SECTION 8(D) HEALTH AND SAFETY DATA REPORTING RULES****Priority:** Routine and Frequent**Legal Authority:** 15 USC 2607(d) TSCA sec 8(d)**CFR Citation:** 40 CFR 716**Legal Deadline:** None

Abstract: These rules require manufacturers, importers and processors to submit unpublished health and safety data on chemicals added to the requirements of the Toxic Substances Control Act section 8(d) Health and Safety Data Reporting Rule (40 CFR part 716). These chemicals have been identified by the Office of Pollution Prevention and Toxics, other EPA offices, and other Federal agencies, as well as recommended for testing consideration by the Interagency Testing Committee.

Timetable:

Action	Date	FR Cite
Final 38th ITC List	10/29/96	61 FR 55871
Final 38th ITC List - Stay	12/11/96	61 FR 65186
Final 38th ITC List - Stay/Technical Amendment	01/07/98	63 FR 684
Final Action 38th ITC List - Revocation	01/11/00	65 FR 1548
Final Action 47th ITC List	01/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** SAN No. 1139**Sectors Affected:** 32411 Petroleum Refineries; 325 Chemical Manufacturing**Agency Contact:** Paul Campanella, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7405, Washington, DC 20460

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RIN: 2070—AB11**3743. NOTICE OF TSCA SECTION 4 REIMBURSEMENT PERIOD AND TSCA SECTION 12(B) EXPORT NOTIFICATION PERIOD SUNSET DATES FOR TSCA SECTION 4 SUBSTANCES****Priority:** Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 2603 TSCA 4; 15 USC 2611 TSCA 12**CFR Citation:** 40 CFR 707; 40 CFR 790; 40 CFR 791; 40 CFR 799**Legal Deadline:** None

Abstract: EPA is developing a list of substances that are or have been subject to TSCA section 4 testing actions which required testing under rules or Enforceable Consent Orders. EPA will identify sunset, or termination dates that will identify: (1) the end of section 4 reporting requirements (40 CFR 790); (2) the end of the reimbursement period under which persons subject to test rules are subject to an obligation to reimburse test sponsors (40 CFR 791); and (3) the end of the period during which export notification requirements under TSCA section 12(b) are triggered.

Timetable:

Action	Date	FR Cite
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** Federal**Additional Information:** SAN No. 3559**Sectors Affected:** 32411 Petroleum Refineries; 325 Chemical Manufacturing**Agency Contact:** Frank Kover, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7405, Washington, DC 20460

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RIN: 2070—AC84**3744. TSCA SECTION 8(E) POLICY; NOTICE OF CLARIFICATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 2607(e) TSCA sec 8(e)**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: The TSCA section 8(e) Notice of Clarification and Solicitation of Public Comment would amend certain aspects of the 1978 TSCA section 8(e) Statement of Interpretation and Enforcement Policy (1978 Policy Statement). The 1978 Policy Statement describes the types of information that EPA considers reportable under section 8(e), the substantial risk reporting provision of TSCA, and describes the procedures for reporting such information to EPA. This clarification effort derives from a review of the existing section 8(e) guidance done in the context of questions raised by companies considering participating in the section 8(e) Compliance Audit Program (CAP). As a result of this review, EPA determined that parts of the 1978 Policy Statement concerning

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the reportability of information on widespread and previously unsuspected distribution in environmental media and emergency incidents of environmental contamination needed some refinement. The subject Federal Register action solicited comment on refined reporting guidance concerning widespread and previously unsuspected distribution in environmental media and provides additional circumstances where information is not reportable because it is considered known to the Administrator. Finally, the notice solicited comments on changes to the section 8(e) reporting deadline and reaffirmed the standards for claims of

confidentiality for information contained in a notice of substantial risk under section 8(e).

Timetable:

Action	Date	FR Cite
NPRM	07/13/93	58 FR 37735
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 3118

Sectors Affected: 32411 Petroleum Refineries; 325 Chemical Manufacturing

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Environmental Protection Agency (EPA)
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3745. LEAD-BASED PAINT ACTIVITIES RULES; TRAINING, ACCREDITATION, AND CERTIFICATION RULE AND MODEL STATE PLAN RULE—BUILDING AND STRUCTURES SECTION 402(A)

Priority: Other Significant

Unfunded Mandates: This action may affect State, local or tribal governments.

Legal Authority: 15 USC 2603 TSCA Title IV; PL 102-550 sec 402; PL 102-550 sec 404

CFR Citation: 40 CFR 745

Legal Deadline: Final, Statutory, April 28, 1994.

Abstract: The Residential Lead-Based Paint Hazard Reduction Act of 1992 mandates EPA promulgate regulations governing lead-based paint (LBP) activities to ensure that individuals engaged in such activities are properly trained, that LBP training programs are accredited, and that contractors engaged in such activities are certified. In addition, EPA must promulgate a Model State program which may be adopted by any State which seeks to administer and enforce a State Program. EPA promulgated regulations for training and certification of training programs for LBP activities and child occupied facilities in 1996 (see 40 CFR 745). Regulations for LBP activities in public and commercial buildings and bridges and other structures are still under development.

Timetable:

Action	Date	FR Cite
NPRM (Buildings & Structures)	02/28/02	
Final Action (Buildings & Structures)	02/00/03	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 4376

Sectors Affected: 23411 Highway and Street Construction; 611519 Other Technical and Trade Schools

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RIN: 2070-AC64

3746. TEST RULE FOR CERTAIN METALS

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 2603 TSCA 4; 15 USC 2611 TSCA 12; 15 USC 2625 TSCA 26; 42 USC 9604(i) CERCLA 104(i)

CFR Citation: 40 CFR 790 to 799

Legal Deadline: None

Abstract: EPA is proposing a test rule under section 4(a) of the Toxic Substances Control Act (TSCA) requiring manufacturers and processors of certain metals to fill data needs identified by the Agency for Toxic Substances and Disease Registry (ATSDR), the National Toxicology Program (NTP), and EPA pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) section 104(I). Under CERCLA, ATSDR is to establish a list of priority hazardous substances found at superfund sites, develop toxicological profiles for the hazardous substances, identify priority data needs, and establish a research program obtaining the necessary data. This action is a component of ATSDR's research program. Data from this action would provide specific information about the substances for the public and scientific community. The information would be used in conducting comprehensive public health assessments of populations living near hazardous waste sites. Scientific data improves the quality of risk

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assessments used by EPA, other Federal agencies, and State and local governments. The risk assessments affect standards, guidelines, listing/delisting, and other decisions affecting public health and the environment. The metals are also hazardous air pollutants (HAPs) under the Clean Air Act (CAA) section 112. Data from this action would also be used to implement several provisions of section 112 of the CAA, including determining risks remaining after the application of technology based on standards under section 112(d) of the CAA, estimating the risks associated with accidental releases, and determining whether or not substances should be removed from the CAA section (b)(1) list of HAPs (delisting).

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** Federal**Additional Information:** SAN No. 3882**Sectors Affected:** 32411 Petroleum Refineries; 325 Chemical Manufacturing**Agency Contact:** Frank Kover, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7405, Washington, DC 20460

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RIN: 2070-AD10**3747. PCBs; POLYCHLORINATED BIPHENYLS; EXEMPTIONS FROM THE PROHIBITIONS AGAINST MANUFACTURING, PROCESSING, AND DISTRIBUTION IN COMMERCE****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 2605 TSCA sec 6(e)(3)(B)**CFR Citation:** 40 CFR 761**Legal Deadline:** None

Abstract: Section 6(e)(3)(B) of the Toxic Substances Control Act (TSCA) provides that the Administrator may grant, by rule, exemptions from the prohibitions against manufacturing, processing and distribution in commerce of PCBs upon finding that (1) no unreasonable risk to health or the environment will occur, and (2) good faith efforts have been made by the petitioner to develop a substitute for PCB which does not pose an unreasonable risk of injury to health or the environment. In addition, the Interim Procedural Rules were amended to require certain petitioners to reapply for EPA approval to continue PCB activities previously approved by EPA.

Timetable:

Action	Date	FR Cite
NPRM (1) Group I	12/06/94	59 FR 62875
Final Action Group I	02/00/02	
NPRM (2) Group II	09/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Governmental Jurisdictions, Businesses**Government Levels Affected:** Federal**Additional Information:** SAN No. 2150**Sectors Affected:** 211 Oil and Gas Extraction; 2211 Electric Power Generation, Transmission and Distribution; 31-33 Manufacturing; 5133 Telecommunications; 6113 Colleges, Universities and Professional Schools; 622 Hospitals; 921 Executive, Legislative, Public Finance and General Government**Agency Contact:** Peter Gimlin, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7404, Washington, DC 20460

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RIN: 2070-AB20**3748. LEAD; REGULATORY INVESTIGATION UNDER THE TOXIC SUBSTANCES CONTROL ACT (TSCA) TO REDUCE LEAD (PB) CONSUMPTION AND USE****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined**Legal Authority:** 15 USC 2605 TSCA 6**CFR Citation:** 40 CFR 745**Legal Deadline:** None

Abstract: This action initiates a regulatory investigation under the Toxic Substances Control Act (TSCA) section 6 to determine if uses of lead (Pb) present an unreasonable risk to human health and the environment. The investigation will involve examination of the potential sources of human or other exposure to lead throughout the life cycle. Based on information gathered EPA may propose TSCA section 6(a) rules to control existing or new uses of Pb which pose an unreasonable risk to human health or the environment, and to explore the desirability and feasibility of discouraging overall consumption of Pb in general.

Timetable:

Action	Date	FR Cite
ANPRM	05/13/91	56 FR 22096
NPRM - Proposed Ban of Fishing Sinkers	03/09/94	59 FR 11122
Final Action - Fishing Sinkers	12/00/01	

Regulatory Flexibility Analysis Required: Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** Federal**Additional Information:** SAN No. 3252**Agency Contact:** Doreen Cantor, Environmental Protection Agency, Office of Prevention, Pesticides and Toxic Substances, 7404, Washington, DC 20460

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RIN: 2070-AC21

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3749. REFRACTORY CERAMIC FIBERS; SIGNIFICANT NEW USE RULES ON NATIONAL PROGRAM CHEMICALS**Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 2604 TSCA 5; 15 USC 2605 TSCA 6**CFR Citation:** 40 CFR 704; 40 CFR 721**Legal Deadline:** None

Abstract: EPA has instituted a program to monitor the commercial development of existing chemicals of concern and/or to gather information to support risk assessments on such chemicals. As these chemicals are identified, EPA will initiate rulemakings under the Toxic Substances Control Act (TSCA) sections 5 and/or 6 to require reporting by the manufacturers, importers and/or processors of these chemicals. Proposed rules may be published on at least the chemicals listed on the timetable below.

Timetable:

Action	Date	FR Cite
NPRM - Refractory Ceramic Fiber	03/21/94	59 FR 13294
Final Action - Refractory Ceramic Fiber	03/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** SAN No. 3528**Sectors Affected:** 327999 All Other Miscellaneous Nonmetallic Mineral Product Manufacturing

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RIN: 2070-AC37**3750. ASBESTOS MODEL ACCREDITATION PLAN REVISIONS****Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 2646 TSCA sec 206**CFR Citation:** 40 CFR 763**Legal Deadline:** Final, Statutory, November 28, 1992.

Abstract: The Asbestos School Hazard Abatement Reauthorization Act (ASHARA) amended TSCA to require that EPA revise its asbestos model accreditation plan (MAP) to extend training and accreditation requirements to include persons performing certain asbestos-related work in public or commercial buildings, to increase the minimum number of training hours required for accreditation purposes and to effect other changes necessary to implement the amendments. The upcoming notice of proposed rulemaking (NPRM) will improve harmony of the existing interim final MAP with the Occupational Safety and Health Administration's regulations to the extent consistent with applicable EPA statutes, and provide clarifications.

Timetable:

Action	Date	FR Cite
Model Plan	05/13/92	57 FR 20438
Interim Final	02/03/94	59 FR 5236
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** Federal, State, Local, Tribal**Federalism:** Undetermined**Additional Information:** SAN No. 3148**Sectors Affected:** 611519 Other Technical and Trade Schools

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RIN: 2070-AC51

3751. PCBS; POLYCHLORINATED BIPHENYL; USE AUTHORIZATIONS**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 15 USC 2605(e) TSCA sec 6(e)**CFR Citation:** 40 CFR 761**Legal Deadline:** None

Abstract: The notice of proposed rulemaking that was published on December 6, 1994, covered the manufacture (including import), processing, distribution in commerce, export use, disposal, and marking of PCBs. On June 29, 1998, EPA issued a final rule involving the disposal related provisions. Other provisions, e.g., certain use authorizations and import provisions, were to be addressed in separate actions. This rulemaking addresses a use authorization for certain non-liquid PCB applications, which although currently in use have never been authorized under the PCB regulations at 40 CFR part 761.

Timetable:

Action	Date	FR Cite
ANPRM	06/10/91	56 FR 26738
NPRM	12/06/94	59 FR 62788
Final Action - 1 PCB Disposal Provisions	06/29/98	63 FR 35384
NPRM - Notice of Data Availability, Reopening of Comment Period	12/10/99	64 FR 69358
NPRM - Extension of Comment Period	04/06/00	65 FR 18018
Final Action - 2 Use Authorizations	01/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

EPA—Toxic Substances Control Act (TSCA)**Long-Term Actions**

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 4179

Sectors Affected: 2211 Electric Power Generation, Transmission and Distribution; 211 Oil and Gas Extraction; 31-33 Manufacturing; 5133 Telecommunications; 6113 Colleges, Universities and Professional Schools; 921 Executive, Legislative, Public

Finance and General Government; 622 Hospitals

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RIN: 2070-AD27

Environmental Protection Agency (EPA)**Completed Actions****Toxic Substances Control Act (TSCA)****3752. TEST RULES; GENERIC ENTRY FOR PROPOSED DECISIONS**

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 700 to 799

Completed:

Reason	Date	FR Cite
Withdrawn - No Further Action Currently Planned	08/30/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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RIN: 2070-AB07

3753. TEST RULES; NEGOTIATED CONSENT ORDER AND TEST RULE PROCEDURES

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 790; 40 CFR 791; 40 CFR 799

Completed:

Reason	Date	FR Cite
Withdrawn - No Further Action Currently Planned	08/30/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 2070-AB30

3754. TSCA BIOTECHNOLOGY FOLLOW-UP RULES

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 720; 40 CFR 725 (Revision)

Completed:

Reason	Date	FR Cite
Withdrawn - No Further Action Currently Planned	08/30/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal, State, Local, Tribal

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RIN: 2070-AD13

Environmental Protection Agency (EPA)**Proposed Rule Stage****Emergency Planning and Community Right-to-Know Act (EPCRA)****3755. • TRI; REVISIONS TO THE OTHERWISE USE ACTIVITY EXEMPTIONS AND THE COAL EXTRACTION ACTIVITIES EXEMPTION**

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 11001 et seq

CFR Citation: 40 CFR 372

Legal Deadline: None

Abstract: The Toxics Release Inventory (TRI) requires reporting from facilities

which manufacture or process at least 25,000 pounds of a listed chemical, or otherwise use 10,000 pounds of a listed chemical. In determining amounts of listed chemicals that are manufactured, processed or otherwise used, facilities may be entitled to consider specific exemptions from reporting. EPA is presently reviewing a group of these exemptions. The categories of exemptions presently being reconsidered by EPA are the structural component exemption, the routine janitorial and facility grounds maintenance exemption, the personal

use exemption, the motor vehicle maintenance exemption, and the intake water/air exemption. Also known as the otherwise use exemptions because they are limited to otherwise use activities, these exemptions are expressly provided for at 40 CFR 372.38(c). EPA is also considering changes to the coal mining extraction activities exemption provided for at 40 CFR 372.38(g).

Timetable:

Action	Date	FR Cite
NPRM	03/00/01	
Final Action	03/00/02	

EPA—Emergency Planning and Community Right-to-Know Act (EPCRA)

Proposed Rule Stage

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** Federal, State**Additional Information:** SAN No. 4265

Formerly listed as RIN 2070-AD39.

By Statute and Regulation, this rule will affect SIC codes 20-39, 10 (except

SIC codes 1011, 1081, 1094), 12 (except SIC code 1241), 4911, 4931, 4939, 4953, 5169, 5171, and 7389.

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Email: reisman.larry@epa.gov**RIN:** 2025-AA06**Environmental Protection Agency (EPA)****Final Rule Stage****Emergency Planning and Community Right-to-Know Act (EPCRA)****3756. • TRI; RESPONSES TO PETITIONS RECEIVED TO ADD OR DELETE OR MODIFY CHEMICAL LISTINGS ON THE TOXIC RELEASE INVENTORY****Priority:** Routine and Frequent. Major status under 5 USC 801 is undetermined.**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 11013 EPCRA 313**CFR Citation:** 40 CFR 372**Legal Deadline:** None**Abstract:** These actions grant or deny petitions received to add or delete or modify chemicals on the list of toxic chemicals under section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) that are subject to reporting under the Toxic Chemical Release Reporting Rule. The actions cover individual chemicals or groups of chemicals for which petitions have been received.**Timetable:**

Action	Date	FR Cite
Notice - DBNPA (Request to Delete)	10/27/95	60 FR 54949
Notice of Denial Phosphoric Acid (Request to Delete)	01/23/98	63 FR 3566
NPRM Chromite Ore from Transvaal Reg. of S.A.	02/23/99	64 FR 8775
NPRM Phosphoric Acid (Delete)	12/07/99	64 FR 68311
Final Rule Phosphoric Acid (Delete)	06/27/00	65 FR 39552
Response Diisononyl phthalate (DINP) (Request to Add)	10/00/00	

Action	Date	FR Cite
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Final Action - Chromite Ore From Transvaal

Final Response DBNPA (Request to Delete)

Response Alloys - Chromium & Nickel & Copper Alloys (Req. to Modify)

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** Federal, State**Additional Information:** SAN No. 2425
Formerly listed as RIN 2070-AC00.

Statutory deadline: Within 180 days of receipt the Agency must either initiate rulemaking or explain why not in the Federal Register. Manufacturing industries in SIC codes 20-39 plus the following industries and SIC codes: Metal Mining (SIC code 10 except SIC codes 1011, 1081, and 1094); Coal Mining (SIC code 12 except SIC code 1241); Electric Utilities (SIC codes 4911, 4931, 4939); Commercial Hazardous Waste Treatment (SIC code 4953); Chemicals and Allied Products-Wholesale (SIC code 5169); Petroleum Bulk Terminals and Plants (SIC code 5171); and Solvent Recovery Services (SIC code 7389).

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RIN: 2025-AA00**3757. • TRI; LOWERING OF EPCRA SECTION 313 REPORTING THRESHOLDS FOR LEAD AND LEAD COMPOUNDS****Regulatory Plan:** This entry is Seq. No. 146 in Part II of this issue of the Federal Register.**RIN:** 2025-AA05**3758. EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT: AMENDMENTS AND STREAMLINING RULE****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 11002; 42 USC 11004; 42 USC 11048; 42 USC 11021; 42 USC 11022**CFR Citation:** 40 CFR 355; 40 CFR 370**Legal Deadline:** None**Abstract:** This rule will address the remaining issues from the proposed rule of June 8, 1998. (Reporting thresholds for gasoline and diesel fuel at retail gas stations were included in a separate final rule; 64 FR 7031, February 11, 1999.) This rule will include: reporting thresholds for rock salt, sand, gravel and other chemicals that pose minimal risk; plain language rewrite; and may consider reporting thresholds for facilities with some similarities to gas stations (motor pools,

EPA—Emergency Planning and Community Right-to-Know Act (EPCRA)

Final Rule Stage

marinas, etc.) and guidance on approaches to State flexibility.

Timetable:

Action	Date	FR Cite
NPRM	06/08/98	63 FR 31268
Final Action	08/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3215

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RIN: 2050–AE17

Environmental Protection Agency (EPA)

Long-Term Actions

Emergency Planning and Community Right-to-Know Act (EPCRA)

3759. • TRI; CHEMICAL EXPANSION; FINALIZATION OF DEFERRED CHEMICALS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 11013 EPCRA 313; 42 USC 11023; 42 USC 11048; 42 USC 11076

CFR Citation: 40 CFR 372

Legal Deadline: None

Abstract: On November 30, 1994, EPA added 286 chemicals and chemical categories to the EPCRA section 313 list, including 39 chemicals as part of two delineated categories. Each chemical and chemical category was found to meet the statutory criteria described in EPCRA section 313(d)(2)(A)-(C). At this time, EPA deferred final action on 40 chemicals and one chemical category until a later date. These were deferred because the comments received on them raised difficult technical or policy issues which required additional time to address. EPA chose not to delay final action on the 286 chemicals and chemical categories because of the additional time needed to address the issues surrounding the smaller group of 40 chemicals and one chemical category; rather, EPA believed it to be in the spirit of community right-to-know to proceed with the final rulemaking of the additional chemicals and chemical categories.

Timetable:

Action	Date	FR Cite
NPRM	01/12/94	59 FR 1788
Final Finalizes Listing of 286 Chemicals and Chemical Categories	11/30/94	59 FR 61432
Supplemental NPRM - Deferred Chemicals	12/00/01	

Action	Date	FR Cite
Final Action - Deferred Chemicals	12/00/02	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Federal, State

Additional Information: SAN No. 3007

Formerly listed as RIN 2070-AC47.

Includes SIC codes: Manufacturing industries in SIC codes 20-39 plus the following industries and SIC codes: Metal Mining (SIC code 10 except SIC codes 1011, 1081, and 1094); Coal Mining (SIC code 12 except SIC code 1241); Electric Utilities (SIC codes 4911, 4931, 4939); Commercial Hazardous Waste Treatment (SIC code 4953); Chemicals and Allied Products-Wholesale (SIC code 5169); Petroleum Bulk Terminals and Plants (SIC code 5171); and, Solvent Recovery Services (SIC code 7389).

Sectors Affected: 42269 Other Chemical and Allied Products Wholesalers

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RIN: 2025–AA01

3760. • TRI; REVIEW OF CHEMICALS ON THE ORIGINAL TRI LIST

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 1101 et seq

CFR Citation: 40 CFR 372

Legal Deadline: None

Abstract: When TRI was established by Congress in 1986, the statutory language placed 309 chemicals and 20 categories of chemicals on the TRI list; that is referred to as the original TRI list. The chemicals on the original list were taken from two existing lists of toxic substances: the Maryland Chemical Inventory Report List of Toxic or Hazardous Substances, and the New Jersey Environmental Hazardous Substances list. This action constitutes the first systematic review of toxicology and environmental data for all the chemicals on the original TRI list to determine whether data for those chemicals conform with the statutory criteria for listing of chemicals on TRI. Chemicals for which data do not meet the statutory criteria will be delisted.

Timetable:

Action	Date	FR Cite
NPRM	09/00/02	
Final Action	09/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State

Additional Information: SAN No. 4015

Formerly listed as RIN 2070-AD18.

EPA—Emergency Planning and Community Right-to-Know Act (EPCRA)

Long-Term Actions

AFFECTED SECTORS: Manufacturing industries in SIC codes 20-39 plus the following industries and SIC codes: Metal Mining (SIC code 10 except SIC codes 1011, 1081, and 1094); Coal Mining (SIC code 12 except SIC code 1241); Electric Utilities (SIC codes 4911, 4931, 4939); Commercial Hazardous Waste Treatment (SIC code 4953); Chemicals and Allied Products-Wholesale (SIC code 5169); Petroleum Bulk Terminals and Plants (SIC code 5171); and Solvent Recovery Services (SIC code 7389).

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RIN: 2025-AA03

3761. • TRI: POLLUTION PREVENTION ACT INFORMATION REQUIREMENTS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 11013
Pollution Prevention Act

CFR Citation: 40 CFR 372

Legal Deadline: None

Abstract: Section 6607(b) of the Pollution Prevention Act of 1990 (PPA) (Pub. L. 101-508) requires the addition of several data elements to the Toxic Chemical Release Inventory (TRI) reporting requirements as promulgated under section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) (Pub. L. 99-499). Section 313 of EPCRA requires owners or operators of certain facilities that manufacture, process, or otherwise use listed toxic chemicals to annually report their releases of these chemicals to each environmental medium. The

PPA mandates that section 313 covered facilities also report on source reduction and recycling activities relating to the toxic chemicals beginning with the 1991 reporting year. Since 1991 covered facilities have been providing this information to EPA in section 8, Source Reduction and Recycling Activities, of EPA Form R. On September 25, 1991 (56 FR 48475), EPA proposed regulations which would provide definitions and instructions for reporting the PPA data elements on the EPA Form R. In this action, EPA will amend certain aspects of the September 25, 1991 proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	09/25/91	56 FR 48475
Supplemental NPRM	04/00/01	
Response	03/00/01	
Combustion for Energy Recovery (Request to Modify)		
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Federal, State

Additional Information: SAN No. 2847

Formerly listed as RIN 2070-AC24.

Affected Sectors Include: Manufacturing industries in SIC codes 20-39 plus the following industries and SIC codes: Metal Mining (SIC code 10 except SIC codes 1011, 1081, and 1094); Coal Mining (SIC code 12 except SIC code 1241); Electric Utilities (SIC codes 4911, 4931, 4939); Commercial Hazardous Waste Treatment (SIC code 4953); Chemicals and Allied Products-Wholesale (SIC code 5169); Petroleum Bulk Terminals and Plants (SIC code 5171); and, Solvent Recovery Services (SIC code 7389).

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RIN: 2025-AA09

3762. • TRI: APA PETITION-EPCRA 313 DEFINITION OF "OVERBURDEN" AS IT RELATES TO THE MINING INDUSTRY

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 11001 et seq

CFR Citation: 40 CFR 372

Legal Deadline: None

Abstract: The regulatory definition for EPCRA section 313 defines "overburden" to mean any unconsolidated material that overlies a deposit of useful material or ores. It does not include any portion of ore or waste rock. "Overburden" generally lacks any recoverable materials and contains only trace amounts of EPCRA section 313 chemicals. Under section 313, all activities related to "overburden" are exempt from threshold determinations and release and other waste management calculations because "overburden" contains TRI chemicals in negligible amounts and reporting is unlikely to provide the public with valuable information. On December 22, 1998, the National Mining Association (NMA) petitioned EPA, pursuant to the Administrative Procedures Act (APA) to change the current EPCRA 313 definition of "overburden" to include both consolidated material and unconsolidated material. By making such a change, consolidated material that overlies an ore deposit would be eligible for the "overburden" exemption (i.e., "overburden" generally lacks any recoverable minerals and contains only trace amounts of EPCRA section 313 chemicals). NMA asserts that EPA's definition of "overburden" is inconsistent with that of industry. NMA considers "overburden" to be all material, both consolidated and unconsolidated, that overlies an ore deposit of useful material and must be removed to allow access to ore deposit.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	
Final Rule	12/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: SAN No. 4392

EPA—Emergency Planning and Community Right-to-Know Act (EPCRA)

Long-Term Actions

Fomerly listed as RIN 2070-AD41.

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RIN: 2025-AA08

**3763. RESPONSE TO A PETITION
REQUESTING DELETION OF
PHOSMET FROM THE EXTREMELY
HAZARDOUS SUBSTANCES (EHSS)
LIST**

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 11002; 42
USC 11004; 42 USC 11048

CFR Citation: 40 CFR 355

Legal Deadline: None

Abstract: EPA has received a petition
to remove Phosmet from the extremely
hazardous substance (EHS) list under
the Emergency Planning and
Community Right-to-Know Act
(EPCRA). This rulemaking will address
the petitioner's claims.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3994

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RIN: 2050-AE42

**3764. MODIFICATION OF THRESHOLD
PLANNING QUANTITY FOR
ISOPHORONE DIISOCYANATE**

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 11002; 42
USC 11004; 42 USC 11048

CFR Citation: 40 CFR 355

Legal Deadline: None

Abstract: On October 12, 1994 (59 FR
51816), EPA proposed to modify the
listing of several chemicals on the

extremely hazardous substances (EHS)
list under the Emergency Planning and
Community Right-to-Know Act. One
petitioner requested the removal of
isophorone diisocyanate (IPDI). EPA
rejected the petitioner's request.
However, in the review of the petition,
EPA noticed that there was an error in
the setting of the threshold planning
quantity (TPQ) for IPDI, and proposed
to correct the error in the October 12,
1994 notice of proposed rulemaking.
The other modifications to the EHS list
were made final on May 7, 1996;
however, the TPQ for IPDI was not
included in that final rule. This rule
will finalize the TPQ for IPDI.

Timetable:

Action	Date	FR Cite
Final Action	To Be	Determined

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3993

Sectors Affected: 325 Chemical
Manufacturing

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RIN: 2050-AE43

Environmental Protection Agency (EPA)

Completed Actions

Emergency Planning and Community Right-to-Know Act (EPCRA)

**3765. TRI; CHEMICAL EXPANSION;
FINALIZATION OF DEFERRED
CHEMICALS**

Priority: Other Significant. Major status
under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 372

Completed:

Reason	Date	FR Cite
Transferred to RIN 2025-AA01	08/22/00	

**Regulatory Flexibility Analysis
Required:** Undetermined

Government Levels Affected: Federal,
State

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RIN: 2070-AC47

**3766. TRI; DATA EXPANSION
AMENDMENTS; TOXIC CHEMICAL
RELEASE REPORTING; COMMUNITY
RIGHT-TO-KNOW**

Priority: Other Significant

CFR Citation: 40 CFR 372

Completed:

Reason	Date	FR Cite
Withdrawn - Agency Plans No Further Action	08/11/00	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: Federal,
State

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EPA—Emergency Planning and Community Right-to-Know Act (EPCRA)

Completed Actions

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RIN: 2070–AD08

3767. TRI; REVIEW OF CHEMICALS ON THE ORIGINAL TRI LIST

Priority: Other Significant

CFR Citation: 40 CFR 372

Completed:

Reason	Date	FR Cite
Transferred to RIN 2025-AA03	08/22/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal, State

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RIN: 2070–AD18

3768. TRI; ADDITION OF OIL AND GAS EXPLORATION AND PRODUCTION TO THE TOXIC RELEASE INVENTORY

Priority: Other Significant

CFR Citation: 40 CFR 372

Completed:

Reason	Date	FR Cite
Withdrawn - Agency Plans No Further Action	08/11/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal, State

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RIN: 2070–AD19

3769. TRI; RESPONSES TO PETITIONS RECEIVED TO ADD OR DELETE OR MODIFY CHEMICAL LISTINGS ON THE TOXIC RELEASE INVENTORY

Priority: Routine and Frequent. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 372

Completed:

Reason	Date	FR Cite
Transferred to RIN 2025-AA00	08/22/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal, State

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RIN: 2070–AC00

3770. TRI; POLLUTION PREVENTION ACT INFORMATION REQUIREMENTS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 372

Completed:

Reason	Date	FR Cite
Transferred to RIN 2025-AA09	08/22/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal, State

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RIN: 2070–AC24

3771. TRI; LOWERING OF EPCRA SECTION 313 REPORTING THRESHOLDS FOR LEAD AND LEAD COMPOUNDS

Priority: Economically Significant. Major under 5 USC 801.

CFR Citation: 40 CFR 372

Completed:

Reason	Date	FR Cite
Transferred to RIN 2025-AA05	08/22/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal, State

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RIN: 2070–AD38

3772. TRI; REVISIONS TO THE OTHERWISE USE ACTIVITY EXEMPTIONS AND THE COAL EXTRACTION ACTIVITIES EXEMPTION

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

CFR Citation: 40 CFR 372

Completed:

Reason	Date	FR Cite
Transferred to RIN 2025-AA06	08/22/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal, State

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RIN: 2070–AD39

EPA—Emergency Planning and Community Right-to-Know Act (EPCRA)

Completed Actions

3773. TRI: APA PETITION-EPCRA 313 DEFINITION OF "OVERBURDEN" AS IT RELATES TO THE MINING INDUSTRY**Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 372**Completed:**

Reason	Date	FR Cite
Transferred to RIN 2025-AA08	08/22/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Maria Doa

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RIN: 2070-AD41

Environmental Protection Agency (EPA)

Completed Actions

Chemical Safety Information, Site Security and Fuels Regulatory Relief Act

3774. AMENDMENTS TO THE LIST OF REGULATED SUBSTANCES AND THRESHOLDS FOR ACCIDENTAL RELEASE PREVENTION; FLAMMABLE SUBSTANCES USED AS FUEL OR HELD FOR SALE AS FUEL AT RETAIL FACILITIES**Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 68**Completed:**

Reason	Date	FR Cite
Final Action	03/13/00	65 FR 13243

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal, State, Local, Tribal**Agency Contact:** James Belke

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RIN: 2050-AE74

3775. ACCIDENTAL RELEASE PREVENTION REQUIREMENTS; RISK MANAGEMENT PROGRAMS UNDER THE CLEAN AIR ACT SECTION 112(R)(7); DISTRIBUTION OF OFF-SITE CONSEQUENCES ANALYSIS INFORMATION**Priority:** Other Significant**CFR Citation:** 40 CFR 68**Completed:**

Reason	Date	FR Cite
NPRM	04/27/00	65 FR 34833
Final Rule	08/04/00	65 FR 48108

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal, State, Local, Tribal

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RIN: 2050-AE80

Environmental Protection Agency (EPA)

Proposed Rule Stage

Resource Conservation and Recovery Act (RCRA)

3776. PAINT MANUFACTURING WASTES LISTING: HAZARDOUS WASTE MANAGEMENT SYSTEM: IDENTIFICATION AND LISTING OF HAZARDOUS WASTE**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 33 USC 1321; 33 USC 1361; 42 USC 6905; 42 USC 6912(a); 42 USC 6921; 42 USC 6922; 42 USC 6926; 42 USC 6938; 42 USC 9602; 42 USC 9603; 42 USC 9604**CFR Citation:** 40 CFR 261; 40 CFR 271; 40 CFR 302; 40 CFR 264; 40 CFR 265**Legal Deadline:** NPRM, Judicial, January 26, 2001.
Final, Judicial, March 30, 2002.**Abstract:** This action addresses the potential risks posed by wastes from the production of paints, and determines whether these wastes should be listed as hazardous under RCRA to control any potentially unacceptable risks. Any new wastes listed as hazardous will also be added to the CERCLA list of hazardous substances. This action will be implemented by EPA and States authorized under RCRA. Impacts on local governments are not expected, and small business impacts are undetermined. Specific wastes to be addressed are water/caustic cleaning wastes, solvent cleaning wastes, emission control dusts/sludges,

wastewater treatment sludges, and off-spec product.

Timetable:

Action	Date	FR Cite
NPRM	01/00/01	
Final Action	03/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** Federal, State, Tribal**Additional Information:** SAN No. 3805

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EPA—Resource Conservation and Recovery Act (RCRA)

Proposed Rule Stage

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RIN: 2050-AE32

3777. REMOVAL OF REQUIREMENT TO USE SW-846 METHODS (TEST METHODS FOR EVALUATING SOLID WASTE: PHYSICAL/CHEMICAL METHODS)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921 to 6927; 42 USC 6930; 42 USC 6934 to 6939; 42 USC 6974; 42 USC 9601; 42 USC 9614(c)

CFR Citation: 40 CFR 258; 40 CFR 260; 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 266; 40 CFR 270; 40 CFR 279

Legal Deadline: None

Abstract: EPA has been actively working to break down the barriers that the environmental monitoring community faces when trying to use new monitoring techniques. As a first step, EPA has accelerated its review process for new methods by eliminating several unnecessary internal review steps, and by streamlining the internal approval process for each new method. However, there are currently 32 citations in title 40 of the Code of Federal Regulations (CFR) where the use of SW-846 methods is required. As a second step for speeding up the approval process, EPA plans to remove the requirements to use SW-846 methods for other than method defined parameters (i.e., where the method defines the regulations, such as the Toxicity Characteristic Leaching Procedure) from 40 CFR. This will likely lead to an even more streamlined approval process since SW-846 will then be able to be handled strictly as guidance and not need the regulatory process for approval. This additional streamlining will permit new, more cost-effective methods to attain public and regulatory authority acceptance in much less time, allowing required monitoring to be done more cheaply, faster and, in some cases, more accurately.

Timetable:

Action	Date	FR Cite
NPRM	02/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 3989

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RIN: 2050-AE41

3778. STANDARDIZED PERMIT FOR RCRA HAZARDOUS WASTE MANAGEMENT FACILITIES

Regulatory Plan: This entry is Seq. No. 123 in Part II of this issue of the Federal Register.

RIN: 2050-AE44

3779. LISTING OF HAZARDOUS WASTE; INORGANIC CHEMICAL WASTES; LAND DISPOSAL RESTRICTIONS FOR NEWLY LISTED WASTES; CERCLA HAZARDOUS SUBSTANCES REPORTABLE QUANTITIES

Priority: Other Significant

Legal Authority: 42 USC 6901 to 6992(k)

CFR Citation: 40 CFR 261; 40 CFR 263; 40 CFR 264; 40 CFR 265; 40 CFR 268; 40 CFR 271; 40 CFR 302

Legal Deadline: NPRM, Judicial, August 30, 2000.
Final, Judicial, October 31, 2001.

Abstract: EPA, under an Environmental Defense Fund consent decree, will amend, if necessary, the regulations for hazardous waste management under the Resource Conservation and Recovery Act (RCRA) to reduce hazards to human health and the environment from inorganic chemical industry wastes. The wastes covered under this listing document include: sodium dichromate production wastes, wastes from the dry process for manufacturing phosphoric acid, phosphorus trichloride production wastes, phosphorus pentasulfide production

wastes, wastes from the production of sodium phosphate from wet process phosphoric acid, sodium chlorate production wastes, antimony oxide production wastes, cadmium pigments production wastes, barium carbonate production wastes, potassium dichromate production wastes, phenyl mercuric acetate production wastes, boric acid production wastes, inorganic hydrogen cyanide production wastes, and titanium dioxide production wastes (except for chloride process waste solids). This action is proposed under the authority of sections 3001(e)(2) of RCRA which directs EPA to make a hazardous waste listing determination for inorganic chemical wastes. After a study of the waste streams of the above chemical industry processes, including characterization of the wastes generated and a risk assessment evaluating plausible mismanagement scenarios, EPA is proposing which of the above wastes, if any, should be listed as a hazardous waste under 40 CFR part 261. Land Disposal Restrictions will be added for newly listed wastes. Newly listed wastes will be given CERCLA Hazardous Substance Designation and Reportable Quantities assigned.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	10/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 4083

Sectors Affected: 32518 Other Basic Inorganic Chemical Manufacturing; 325131 Inorganic Dye and Pigment Manufacturing; 325312 Phosphatic Fertilizer Manufacturing; 31611 Leather and Hide Tanning and Finishing; 313 Textile Mills; 325611 Soap and Other Detergent Manufacturing

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EPA—Resource Conservation and Recovery Act (RCRA)

Proposed Rule Stage

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3780. OFFICE OF SOLID WASTE BURDEN REDUCTION PROJECT

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 42 USC 6907; 42 USC 6912(a); 42 USC 6921 to 6927; 42 USC 6930; 42 USC 6934; 42 USC 6935; 42 USC 6937 to 6939; 42 USC 6944; 42 USC 6949(a); 42 USC 6974; PL 104-13

CFR Citation: 40 CFR 00

Legal Deadline: None

Abstract: EPA plans to reduce the burden imposed by the RCRA reporting and recordkeeping requirements to help meet the Federal Governmentwide goal established by the Paperwork Reduction Act (PRA). The information collection burden for the regulations EPA implements under RCRA in 1995 (the PRA baseline) was 12.6 million hours. To meet EPA's PRA 2001 goal (a 40% reduction), EPA needs to eliminate five million hours to reach a figure 7.5 million hours.

In June 1999, EPA published a Notice of Data Availability (NODA) in the Federal Register (64 FR 32859) to seek comment on a number of burden reduction ideas. After reviewing the comments received on the NODA, EPA is drafting a proposed rulemaking to implement many of these ideas. The proposals are designed to eliminate duplicative and non-essential paperwork.

The main ideas being considered for the proposed rulemaking are: (1) allowing electronic reporting for all RCRA-required notices and reports; (2) allowing all RCRA-required records to be kept electronically; (3) eliminating or modifying one-third of the 334 RCRA-required notices and reports that are sent by the regulated community to states and EPA; (4) eliminating the RCRA emergency response training requirements that overlap with the Occupational Safety and Health Administration requirements, eliminating the need for facilities to record personnel descriptions, and reducing to three years the retention

time for personnel records; (5) changing the owner/operator inspection frequency of hazardous waste tanks to weekly, thus making the inspection frequency consistent with containers and containment buildings; (6) providing states and EPA with the opportunity to lengthen owner/operator self-inspection frequencies on a case-by-case basis (through the permitting process); (7) eliminating the Land Disposal Restrictions generator waste determinations, recycler notifications and certifications, hazardous debris notifications and characteristic waste determinations, and streamlining the characteristic waste notification procedures; and (8) modifying the groundwater monitoring requirements for hazardous waste facilities.

Timetable:

Action	Date	FR Cite
Notice	06/18/99	64 FR 32859
NPRM	12/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Local, Tribal

Federalism: Undetermined

Additional Information: SAN No. 4084

Applicable SIC codes: Chemicals and Allied Products (28), Primary Metal Industries (33), Fabricated Metals (34), Industrial Machinery and Equipment (35), Electrical Equipment (36), Transportation Equipment (37), Other Manufacturing, Transportation and Utilities (40-49), Wholesale Trade (50-51), Services (70-89) and Other SIC Groups

Sectors Affected: 323 Printing and Related Support Activities; 324 Petroleum and Coal Products Manufacturing; 325 Chemical Manufacturing; 326 Plastics and Rubber Products Manufacturing; 331 Primary Metal Manufacturing; 332 Fabricated Metal Product Manufacturing; 334 Computer and Electronic Product Manufacturing; 562 Waste Management and Remediation Services

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RIN: 2050-AE50

3781. RCRA APPENDIX VIII STREAMLINING

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921; 42 USC 6922; 42 USC 6938

CFR Citation: 40 CFR 261

Legal Deadline: None

Abstract: This action will propose to modify the list of chemicals found in Appendix VIII of 40 CFR part 261 by: (1) rearranging the Appendix into groups of chemicals according to their frequency of expected occurrence in wastes; (2) clarifying ambiguous entries currently on the Appendix such as those marked not otherwise specified; and (3) deleting those chemicals for which the risk from potential exposure is considered to be minimal.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Additional Information: SAN No. 4090

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RIN: 2050-AE55

3782. REVISIONS TO THE COMPREHENSIVE GUIDELINE FOR PROCUREMENT OF PRODUCTS CONTAINING RECOVERED MATERIALS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

EPA—Resource Conservation and Recovery Act (RCRA)

Proposed Rule Stage

Legal Authority: 42 USC 6912(a) RCRA sec 6002(e)

CFR Citation: 40 CFR 247

Legal Deadline: None

Abstract: RCRA section 6002 and E.O. 13101 require EPA to prepare guidelines in the Federal Register which designate items that are or can be made with recovered materials and to issue recommendations for Government procurement of these items. Once designated, procuring agencies are required to purchase these items with the highest percentage of recovered materials practicable. Government procurement of EPA-designated items containing recovered materials fosters markets for recovered materials and, thereby, closes the recycling loop. To date, EPA has designated 54 items under three Comprehensive Procurement Guidelines (CPG1, CPG2 and CPG3). EPA has also issued a Recovered Materials Advisory Notice (RMAN) with each CPG which provides recommendations on buying the designated items. The E.O. requires EPA to update the CPG every two years. The new actions would (1) propose to designate new items in CPG4 and (2) issue final item designations in CPG4.

Timetable:

Action	Date	FR Cite
Notice - Paper Products Recovered Materials Advisory Notice	06/08/98	63 FR 31214
Notice - Recovered Materials Advisory Notice I Update	06/08/98	63 FR 31217
NPRM (CPG3 and RMAN 3)	08/26/98	63 FR 45558
Notice Notice of Availability of Final Document	01/19/00	65 FR 3082
Final Action (CPG3 and RMAN 3)	01/19/00	65 FR 3069
NPRM (CPG4 and RMAN 4)	10/00/00	
Final Action (CPG4 and RMAN 4)	10/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal, State, Local

Additional Information: SAN No. 3545
NPRM-
<http://www.epa.gov/fedrgstr/EPA->

WASTE/1998/August/Day-26/f22793.htm

Sectors Affected: 92111 Executive Offices; 92119 All Other General Government

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RIN: 2050-AE23

3783. HAZARDOUS WASTE MANIFEST REGULATION

Regulatory Plan: This entry is Seq. No. 122 in Part II of this issue of the **Federal Register**.

RIN: 2050-AE21

3784. MODIFICATIONS TO RCRA RULES ASSOCIATED WITH SOLVENT-CONTAMINATED SHOP TOWELS AND WIPES

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6921

CFR Citation: 40 CFR 261

Legal Deadline: None

Abstract: This action would modify RCRA rules that impact the management of solvent-contaminated shop towels and wipes. Solvent-contaminated shop towels and wipes are used throughout industry for equipment cleaning and other related facility operations. The spent shop towels and wipes can be hazardous wastes when the solvent used is either a characteristic or listed solvent. An examination of industry use and management practices reveals that many facilities may use only small amounts of solvent on their disposable wipes, and use small numbers of wipes daily — suggesting that these materials may sometimes pose little or no risk to human health and the environment if disposed in municipal landfills. Similarly, situations exist where both disposable wipes and reusable shop towels are not being managed according to prescribed Federal and States' rules

and policies. Problems with this issue have persisted since the late 1980s.

Timetable:

Action	Date	FR Cite
NPRM	03/00/01	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State

Additional Information: SAN No. 4091

Sectors Affected: 323 Printing and Related Support Activities; 325 Chemical Manufacturing; 332 Fabricated Metal Product Manufacturing; 333 Machinery Manufacturing; 334 Computer and Electronic Product Manufacturing; 336 Transportation Equipment Manufacturing; 337 Furniture and Related Product Manufacturing; 441 Motor Vehicle and Parts Dealers; 811 Repair and Maintenance; 812 Personal and Laundry Services

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RIN: 2050-AE51

3785. GLASS-TO-GLASS RECYCLING OF CATHODE RAY TUBES (CRTS): CHANGES TO HAZARDOUS WASTE REGULATIONS

Priority: Other Significant

Legal Authority: 42 USC 6912(a); 42 USC 6921; 42 USC 6922; 42 USC 6923; 42 USC 6924; 42 USC 6925

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This action will ultimately revise the existing Federal hazardous waste regulations to remove unnecessary regulatory barriers to glass-to-glass recycling of Cathode Ray Tubes (CRTs). A CRT is the main component of a television or computer monitor. A CRT is made largely of specialized glasses, some of which contain lead to protect the user from X-rays inside the CRT. Due to the lead, when they are disposed of or reclaimed, some CRTs are hazardous wastes under the Federal Resource Conservation and Recovery Act (RCRA) regulations. Glass-to-glass recycling involves the return of used

EPA—Resource Conservation and Recovery Act (RCRA)

Proposed Rule Stage

CRT glass to manufacturing of new CRTs. This action is planned in response to a June 9, 1998 recommendation on CRT recycling from the Common Sense Initiative (CSI) Council to the Environmental Protection Agency (EPA). CSI is a consensus-based process for developing cleaner, cheaper, smarter environmental improvements that includes representatives of: industry; environmental groups; community groups; environmental justice groups; labor; and, Federal, State, local, and tribal governments. The recommendation involves minimizing RCRA requirements for glass-to-glass recycling while retaining appropriate controls to ensure protection of human health and the environment. The goal of the recommendation is to facilitate an increase in glass-to-glass recycling, thereby minimizing disposal of lead, increasing resource recovery, and enhancing protection of human health and the environment.

Timetable:

Action	Date	FR Cite
NPRM	02/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 4092

Sectors Affected: 334411 Electron Tube Manufacturing

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RIN: 2050-AE52

3786. REINVENTING THE LAND DISPOSAL RESTRICTIONS PROGRAM

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921; 42 USC 6924

CFR Citation: 40 CFR 268

Legal Deadline: None

Abstract: The Land Disposal Restrictions (LDR) program was established to minimize threats posed by the land disposal of untreated hazardous wastes. The program has been in place for a number of years and now regulates all but the most recently listed hazardous wastes. The Agency is now examining the LDR program to ensure the program is cost-effective and flexible while also protecting human health and the environment. In a recently published Advance Notice of Proposed Rulemaking (ANPRM), we describe our initial thinking on potential changes to the LDR program and ask for public comments and data. We intend to publish a proposed rule based on the comments we receive in response to the ANPRM.

Timetable:

Action	Date	FR Cite
ANPRM	06/19/00	65 FR 37932
NPRM	04/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Federalism: Undetermined

Additional Information: SAN No. 4093

Sectors Affected: 2122 Metal Ore Mining; 32411 Petroleum Refineries; 325 Chemical Manufacturing; 331 Primary Metal Manufacturing

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RIN: 2050-AE53

3787. PROPOSED REGULATORY AMENDMENTS ON RECYCLING OF HAZARDOUS WASTES IN FERTILIZERS

Priority: Other Significant

Legal Authority: 42 USC 1006 et seq

CFR Citation: 40 CFR 261; 40 CFR 266; 40 CFR 268; 40 CFR 271

Legal Deadline: NPRM, Judicial, November 15, 2000, Settlement agreement.

Abstract: This rulemaking is intended to revise the current RCRA regulations that apply to recycling of hazardous wastes in the manufacture of zinc fertilizers. Specifically, it is intended to establish a more consistent application of these recycling requirements to zinc fertilizer products, to establish a set of standards for contaminants in RCRA-regulated zinc fertilizers that are more appropriate to fertilizers and are protective of human health and the environment, and to specify more appropriate, protective conditions for management of zinc-bearing hazardous secondary materials prior to recycling. These regulatory revisions are expected to directly affect companies that manufacture zinc fertilizers from hazardous secondary materials, and is likely to benefit such manufacturers that are small businesses by removing certain regulatory disincentives to legitimate recycling activities.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	
Final Action	05/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Federal, State

Federalism: Undetermined

Additional Information: SAN No. 4208

Sectors Affected: 32532 Pesticide and Other Agricultural Chemical Manufacturing; 32531 Fertilizer Manufacturing; 331111 Iron and Steel Mills; 331419 Primary Smelting and Refining of Nonferrous Metal (except Copper and Aluminum); 331492 Secondary Smelting, Refining, and Alloying of Nonferrous Metal (except Copper and Aluminum); 562112 Hazardous Waste Collection

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EPA—Resource Conservation and Recovery Act (RCRA)

Proposed Rule Stage

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RIN: 2050-AE69

3788. REGULATION OF GASIFICATION DEVICES PROCESSING HAZARDOUS WASTE AT PETROLEUM REFINERIES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6905; 42 USC 6921(a); 42 USC 6921; 42 USC 6922; 42 USC 6923; 42 USC 6924; 42 USC 6925; 42 USC 6926; 42 USC 6927; 42 USC 6930; 42 USC 6934; 42 USC 6935; 42 USC 6937; 42 USC 6938; 42 USC 6939; ...

CFR Citation: 40 CFR 260; 40 CFR 261

Legal Deadline: None

Abstract: EPA is making available for public comment data and information submitted on gasification in response to a notice of data availability published in the Federal Register on July 15, 1998 (63 FR 38139). The July 1998 notice sought comment on information submitted in response to a previous notice published on November 20, 1995, and a separate but related final rulemaking on June 19, 1998. The November 1995 notice proposed to broaden existing RCRA exclusions for the recycling of oil bearing residuals in petroleum refineries (60 FR 57747). The June 1998 final rulemaking provided an exemption from the definition of solid waste for synthesis fuels produced from hazardous waste (63 FR 33791).

Timetable:

Action	Date	FR Cite
NPRM	11/20/95	60 FR 57747
Interim Notice of Data Availability	04/08/97	62 FR 16747
Notice of Data Availability and Request for Comment	07/15/98	63 FR 38139
Final Action	08/06/98	63 FR 42110
Final Action Technical Amendments	10/09/98	63 FR 54356
NPRM	01/00/01	
Final Action	01/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4411

Split from RIN 2050-AD88.

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RIN: 2050-AE78

3789. NESHAPS: STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR HAZARDOUS WASTE COMBUSTORS-PHASE I CLARIFICATION AND PROPOSED CHANGES

Priority: Other Significant

Legal Authority: 42 USC 6924 RCRA sec 3004; 42 USC 6925 RCRA sec 3005; 42 USC 7412 CAA sec 112; 42 USC 7414 CAA sec 114

CFR Citation: 40 CFR 60; 40 CFR 63; 40 CFR 260; 40 CFR 264; 40 CFR 265; 40 CFR 266; 40 CFR 270

Legal Deadline: None

Abstract: Under the Clean Air Act (CAA), EPA is required to establish National Emission Standards for Hazardous Air Pollutants (NESHAPs) for most hazardous waste combustors (HWCs) (i.e., incinerators, cement kilns, boilers, and some types of smelting furnaces). In addition, under the Resource Conservation and Recovery Act (RCRA), EPA is required to establish standards for all HWCs as necessary to ensure protection of human health and the environment. Consequently, the Agency established in the Phase I rule new emissions standards for cement kilns, lightweight aggregate kilns, and incinerators under CAA authority on September 30, 1999 (64 FR 52828). Following promulgation, issues were raised by the regulated community through informal comments and through litigation. In response, this proposed rule will propose changes and clarify the final Phase I rule.

Timetable:

Action	Date	FR Cite
NPRM Cement Kilns & Lightweight Aggregate Kilns & Incinerators	04/19/96	61 FR 17358

Action	Date	FR Cite
Final Action - MACT Fasttrack	06/19/98	63 FR 33782
Final Action - Cement Kilns & LWAKs & Incinerators (Final-Phase I)	09/30/99	64 FR 52828
NPRM - Phase I Clarifications and Proposed Changes	03/00/01	
Final Action - Phase I Clarifications and Changes Final Rule	10/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Federalism: Undetermined

Additional Information: SAN No. 4418

Split from RIN 2050-AE01. The Agency will develop a Technical Implementation Guidance on Phase I; estimated completion date 1/2001.

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RIN: 2050-AE79

3790. • STANDARDS FOR THE MANAGEMENT OF COAL COMBUSTION WASTES GENERATED BY ELECTRIC POWER PRODUCERS

Regulatory Plan: This entry is Seq. No. 124 in Part II of this issue of the **Federal Register**.

RIN: 2050-AE81

3791. • PROJECT XL — ORTHO-MCNEIL PILOT PROJECT ALLOWING ON-SITE TREATMENT OF LOW-LEVEL MIXED WASTES WITHOUT A RCRA PERMIT

Priority: Info./Admin./Other

Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921; 42 USC 6922; 42 USC 6924(y); 42 USC 6938

CFR Citation: 40 CFR 261

Legal Deadline: None

Abstract: This site-specific rulemaking would allow Ortho-McNeil Pharmaceutical to treat small volumes of low-level mixed wastes onsite using a bench-scale catalytic oxidizing treatment unit. This treatment effectively destroys the organic

EPA—Resource Conservation and Recovery Act (RCRA)

Proposed Rule Stage

component of the wastestream, yielding a residual that is only a low-level radioactive waste.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4439

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RIN: 2090-AA14

Environmental Protection Agency (EPA)

Final Rule Stage

Resource Conservation and Recovery Act (RCRA)

3792. STORAGE, TREATMENT, TRANSPORTATION, AND DISPOSAL OF MIXED WASTE

Regulatory Plan: This entry is Seq. No. 142 in Part II of this issue of the *Federal Register*.

RIN: 2050-AE45

3793. RECYCLED USED OIL CONTAINING PCBs

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921 to 6927; 42 USC 6930; 42 USC 6934; 42 USC 6974; 42 USC 9601; 42 USC 9614(c)

CFR Citation: 40 CFR 261; 40 CFR 279

Legal Deadline: None

Abstract: The direct final rule, published May 6, 1998, eliminates errors and clarifies ambiguities in the used oil management standards. Specifically, the rule clarifies (1) when used oil contaminated with polychlorinated biphenyls (PCBs) is regulated under the used oil management standards and when it is not, (2) that the requirements applicable to releases of used oil apply in States that are not authorized for the RCRA base program, (3) that mixtures of conditionally exempt small quantity generator (CESQG) wastes and used oil are subject to the used oil management standards irrespective of how that mixture is to be recycled, and (4) that the initial marketer of used oil that meets the used oil fuel specification need only keep a record of a shipment of used oil to the facility to which the initial marketer delivers the used oil. This rule also amends three incorrect references to the pre-1992 used oil specifications in the provisions which address hazardous waste fuel produced from, or oil reclaimed from, oil-bearing

hazardous wastes from petroleum refining operations.

EPA received relevant adverse comments on three of the amendments included in the May 6, 1998 direct final rule: the amendments to 40 CFR 261.5(j) (mixtures of conditionally exempt small quantity generator waste and used oil), 40 CFR 279.10(i) (applicability of the used oil management standards to used oil contaminated with polychlorinated biphenyls (PCBs)), and 40 CFR 279.74(b) (recordkeeping requirements for marketers of used oil that meets the used oil fuel specification). On July 14, 1998, the Agency removed these three amendments and reinstated the regulatory text that existed prior to the May 6, 1998 direct final rule. EPA will promulgate a final rule addressing the comments received and finalizing the three amendments, as appropriate.

Timetable:

Action	Date	FR Cite
NPRM	05/06/98	63 FR 25006
Direct Final Rule	05/06/98	63 FR 24963
Removal of 3 Amendments	07/14/98	63 FR 37780
Final Action	11/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: SAN No. 4088

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RIN: 2050-AE47

3794. LISTING DETERMINATION FOR WASTEWATERS AND WASTEWATER TREATMENT SLUDGES FROM CHLORINATED ALIPHATICS PRODUCTIONS; LAND DISPOSAL RESTRICTIONS FOR NEWLY IDENTIFIED WASTE

Priority: Other Significant

Legal Authority: 42 USC 6921 RCRA sec 3001; 42 USC 9602 Superfund (CERCLA) sec 102

CFR Citation: 40 CFR 261; 40 CFR 268; 40 CFR 271; 40 CFR 302

Legal Deadline: Final, Judicial, September 30, 2000.

Abstract: This action addresses the potential risks posed by wastes from the production of chlorinated aliphatics, and determines whether these wastes should be listed as hazardous wastes under RCRA to control any potentially unacceptable risks. Land Disposal Restrictions will be added for any wastes newly listed as hazardous; and any wastes newly listed as hazardous also will be added to the CERCLA list of hazardous substances. This action will be implemented by EPA and States authorized under RCRA. Impacts on local governments are not expected.

Timetable:

Action	Date	FR Cite
NPRM	08/25/99	64 FR 46475
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

EPA—Resource Conservation and Recovery Act (RCRA)

Final Rule Stage

Small Entities Affected: No

Government Levels Affected: Federal, State

Additional Information: SAN No. 3151

NPRM-

<http://www.epa.gov/fedrgstr/EPA->

WATER/1999/August/Day-25/w20753.htm

Sectors Affected: 32511 Petrochemical Manufacturing

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RIN: 2050-AD85

3795. HAZARDOUS WASTE IDENTIFICATION RULE (HWIR): IDENTIFICATION AND LISTING OF HAZARDOUS WASTES

Regulatory Plan: This entry is Seq. No. 141 in Part II of this issue of the Federal Register.

RIN: 2050-AE07

3796. LAND DISPOSAL RESTRICTIONS; TREATMENT STANDARDS FOR SPENT POTLINERS FROM PRIMARY ALUMINUM REDUCTION (K088) AND REGULATORY CLASSIFICATION OF K088 VITRIFICATION UNITS

Priority: Other Significant

Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921; 42 USC 6924

CFR Citation: 40 CFR 268; 40 CFR 271

Legal Deadline: None

Abstract: K088 wastes contain, among other hazardous constituents of concern, significant amounts of cyanide. Unless the cyanide is destroyed there is significant potential to contaminate surface water and groundwater. Treatment standards based on the best demonstrated available technology (vitrification) are necessary to substantially diminish the toxicity of the waste and the likelihood of the constituents migrating. On July, 12, 2000, EPA proposed a three-part regulatory strategy for K088 treatment. The three basic components are: (1) revised treatment standards for cyanide in K088 non-wastewaters that encourage the production of useable

products; (2) identification and regulation of K088 vitrification units as RCRA Subpart X miscellaneous treatment units subject to appropriate air controls; and (3) deregulation of certain outputs from K088 vitrification. A final rule is expected within a year.

Timetable:

Action	Date	FR Cite
NPRM	07/12/00	65 FR 42937
Final Action	07/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 4233

Sectors Affected: 3334 Ventilation, Heating, Air-Conditioning and Commercial Refrigeration Equipment Manufacturing

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RIN: 2050-AE65

3797. TEMPORARY SUSPENSION OF TOXICITY CHARACTERISTIC RULE FOR SPECIFIC LEAD-BASED PAINT DEBRIS

Priority: Other Significant

Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921; 42 USC 6922; 42 USC 6938

CFR Citation: 40 CFR 261

Legal Deadline: None

Abstract: Currently, waste derived from lead-based paint (LBP) abatements that exhibits the characteristics of toxicity is managed under the Resource Conservation and Recovery Act (RCRA) hazardous waste regulations. Other Federal agencies (Department of Housing and Urban Development, Department of Health and Human Services) and several States and

advocacy groups have expressed concern that the costs associated with the disposal of large volume of such debris (e.g., doors, windows and demolition debris) may interfere with abatement activities. EPA's Office of Prevention, Pesticides and Toxic Substances (OPPTS) and the Office of Solid Waste have proposed a joint rulemaking to address the disposal of this debris. (See also RIN 2070-AC72.) The final rule being prepared by OPPTS would develop disposal and management standards for this debris under the Toxic Substances Control Act (TSCA) title IV, (the definition of abatement under TSCA title IV, section 401(1)(B), includes disposal). The TSCA regulations would establish appropriate disposal and management standards for LBP debris and identify recycling and incineration activities that would be controlled or prohibited. To minimize duplication of waste management requirements, EPA is developing a companion RCRA rule to suspend temporarily hazardous waste management regulations applicable to LBP debris, which will be subject to the new TSCA standards.

Timetable:

Action	Date	FR Cite
NPRM - RCRA Temporary Suspension	12/18/98	63 FR 70233
Final Action - RCRA Temporary Suspension	08/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 4263

Sectors Affected: 23321 Single Family Housing Construction; 23332 Commercial and Institutional Building Construction; 23542 Drywall, Plastering, Acoustical and Insulation Contractors; 23561 Roofing, Siding and Sheet Metal Contractors; 23594 Wrecking and Demolition Contractors; 23592 Glass and Glazing Contractors; 56291 Remediation Services; 23599 All Other Special Trade Contractors; 23511 Plumbing, Heating and Air-Conditioning Contractors; 23531 Electrical Contractors; 23552 Floor Laying and Other Floor Contractors; 23311 Land Subdivision and Land

EPA—Resource Conservation and Recovery Act (RCRA)

Final Rule Stage

Development; 562111 Solid Waste Collection; 562112 Hazardous Waste Collection; 562119 Other Waste Collection; 48411 General Freight Trucking, Local; 48421 Used Household and Office Goods Moving; 48422 Specialized Freight (except Used Goods) Trucking, Local; 56221 Waste Treatment and Disposal; 54138 Testing Laboratories; 23551 Carpentry Contractors; 48412 General Freight Trucking, Long-Distance; 48423 Specialized Freight (except Used Goods) Trucking, Long-Distance

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RIN: 2050-AE68

3798. ALTERNATIVE LAND DISPOSAL RESTRICTIONS TREATMENT STANDARDS FOR CONTAMINATED SOILS, DEFERRAL OF PCB'S AS AN UNDERLYING HAZARDOUS CONSTITUENT IN SOIL

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6924 (G)(4)(M)

CFR Citation: 40 CFR 268

Legal Deadline: None

Abstract: EPA proposed to temporarily defer applicability of a portion of the rule applying Land Disposal Restrictions under the Resource Conservation and Recovery Act (RCRA) to underlying hazardous constituents in soils contaminated with certain hazardous constituent. Specifically, EPA proposed to temporarily defer the

requirement that polychlorinated biphenyls (PCBs) be considered an underlying hazardous constituent when present in soils which either exhibit the Toxicity Characteristic for metals, or contain a hazardous waste that is listed due to metal content. A final rule addressing this issue is imminent.

Timetable:

Action	Date	FR Cite
NPRM	02/16/00	65 FR 7809
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State

Additional Information: SAN No. 4360

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RIN: 2050-AE76

3799. • PROJECT XL — IBM VT PILOT PROJECT PROVIDING A SITE-SPECIFIC EXEMPTION OF A METALLIZATION PROCESS FROM THE F006 LISTING DESCRIPTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 U.S.C. 6905; 6912(a); 6921; 6922; 6924(y) and 6938

CFR Citation: 40 CFR 261

Legal Deadline: None

Abstract: The IBM VT facility has adopted an innovative copper

metallization process that meets the narrative description of the electroplating operations that result in a wastewater treatment sludge that is a listed hazardous waste (F006). Because this process uses a plating bath that does not contain the toxic metals for which the sludge was listed and is operated to minimize the amount of plating solution that ends up in the wastewaters, the Agency is providing a temporary site-specific exemption from the listing description for the copper metallization process such that the resulting sludge will not be a listed hazardous waste.

Timetable:

Action	Date	FR Cite
NPRM	06/16/00	65 FR 37739
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4438

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RIN: 2090-AA11

Environmental Protection Agency (EPA)

Long-Term Actions

Resource Conservation and Recovery Act (RCRA)

3800. HAZARDOUS WASTE MANAGEMENT SYSTEM: SLAG RESIDUES DERIVED FROM HIGH-TEMPERATURE METALS RECOVERY (HTMR) TREATMENT OF KO61, KO62 AND F0006 WASTES

Priority: Other Significant

Legal Authority: 42 USC 6905 RCRA sec 2002; 42 USC 6921; 42 USC 6922; 42 USC 6924; 42 USC 6934; 42 USC 6938; 42 USC 6912(a) RCRA sec 2002(a); 42 USC 6922 RCRA sec 3002; 42 USC 6924 RCRA sec 3004

CFR Citation: 40 CFR 261; 40 CFR 266

Legal Deadline: None

Abstract: EPA assessed the potential risks to human health and the environment from the use of slag residues (slags) resulting from high temperature metals recovery (HTMR) treatment of specified hazardous wastes (i.e., electric arc furnace dust, steel finishing pickle liquor, and electroplating sludges). This assessment was used as a basis for the proposed rule to reclassify these slags as

nonhazardous when they meet certain exclusion levels and are managed and used in a certain manner. EPA needs to reevaluate the proposed rule due to significant issues raised by public commenters. There is currently no deadline for final action on the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	12/29/94	59 FR 67256
Final Action	To Be Determined	

EPA—Resource Conservation and Recovery Act (RCRA)

Long-Term Actions

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal, State**Federalism:** Undetermined**Additional Information:** SAN No. 3428**Sectors Affected:** 56292 Materials Recovery Facilities**Agency Contact:** Narendra Chaudhari, Environmental Protection Agency, Solid Waste and Emergency Response, 5304W, Washington, DC 20460

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RIN: 2050-AE15**3801. HAZARDOUS WASTE IDENTIFICATION; RECYCLED USED OIL MANAGEMENT STANDARDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 6905; 42 USC 6912(a); 42 USC 6921 to 6927; 42 USC 6930; 42 USC 6934; 42 USC 6974; 42 USC 9601; 42 USC 9614(c)**CFR Citation:** 40 CFR 279**Legal Deadline:** None

Abstract: EPA is reviewing whether the provision of the used oil management standards which governs mixtures of recycled used oil and characteristic hazardous waste, 40 CFR 279.10(b)(2) (the used oil mixture rule), is consistent with the United States Court of Appeals for the District of Columbia Circuit's decision in Chemical Waste Management, Inc. v. EPA. The decision, which concerned a challenge to portions of EPA's land disposal restrictions, held that EPA could not authorize certain wastes exhibiting the hazardous characteristics of ignitability, reactivity, or corrosivity to be diluted to eliminate the characteristic and then be land-disposed unless the hazardous constituents in the waste were adequately treated to minimize threats to human health and the environment.

The used oil mixture rule provides that a mixture of hazardous waste and used oil destined for recycling, if the mixture is hazardous solely because it exhibits a hazardous waste characteristic, is regulated under the used oil management standards. Under the used oil mixture rule, such a decharacterized mixture, therefore, is not subject to the hazardous waste regulations, including

those relating to land disposal restrictions. Further analysis is necessary to determine whether mixtures of used oil destined for recycling and characteristic hazardous wastes differ significantly from other mixtures containing characteristic wastes in terms of potential threat to human health and the environment.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** State**Federalism:** Undetermined**Additional Information:** SAN No. 3668**Agency Contact:** Mike Svizzero, Environmental Protection Agency, Solid Waste and Emergency Response, 5304W, Washington, DC 20460

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RIN: 2050-AE28**3802. MANAGEMENT OF CEMENT KILN DUST (CKD)****Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6912(a) RCRA sec 2002(a); 42 USC 6921(a) RCRA sec 3001(a)**CFR Citation:** 40 CFR 259; 40 CFR 261; 40 CFR 264; 40 CFR 266**Legal Deadline:** None

Abstract: Cement kiln dust (CKD) is a high volume material by-product of the cement manufacturing process. While it contains potentially hazardous constituents such as lead, cadmium and chromium, it has been exempted since November 1980 from hazardous waste regulation under RCRA Subtitle C by the Bevill Amendment. This amendment modified Section 3001 of RCRA to exempt certain special wastes until further studies could be completed and any applicable regulations were promulgated. In December 1993, EPA submitted a Report to Congress with its findings on

the nature and management practices associated with CKD. This was followed in January 1995 by an EPA regulatory determination published in the Federal Register (60 FR 7366, 2/7/95), which concluded that additional control of CKD is warranted. In the regulatory determination EPA committed to develop additional tailored regulations under RCRA Subtitle C and, if necessary, the Clean Air Act. As part of its regulatory development effort, the Office of Solid Waste within EPA's Office of Solid Waste and Emergency Response has initiated further studies and has held informal discussions with stakeholders interested in regulations under RCRA Subtitle C for the management of CKD. The regulations will be tailored to protect human health and the environment while limiting burden on the regulated community. A proposed rule was issued (64 FR 45632, 8/20/99) which included a comprehensive set of standards for the management of CKD. The comment period for this proposal ended on February 16, 2000. EPA is currently processing and addressing comments received.

Timetable:

Action	Date	FR Cite
NPRM	08/20/99	64 FR 45631
Final Action	10/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal, State**Federalism:** Undetermined**Additional Information:** SAN No. 3856

NPRM-
<http://www.epa.gov/fedrgstr/EPA-WASTE/1999/August/Day-20/f20546.htm>

Sectors Affected: 32731 Cement Manufacturing

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EPA—Resource Conservation and Recovery Act (RCRA)

Long-Term Actions

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RIN: 2050-AE34

3803. MERCURY-CONTAINING AND RECHARGEABLE BATTERY MANAGEMENT ACT; CODIFICATION OF WASTE MANAGEMENT PROVISIONS

Priority: Other Significant

Legal Authority: 42 USC 14303

CFR Citation: 40 CFR 271; 40 CFR 273

Legal Deadline: None

Abstract: The purpose of this rule is to codify into the Code of Federal Regulations certain provisions of the Mercury-Containing and Rechargeable Battery Management Act that impact the May 11, 1995 Universal Waste Rule (40 CFR part 273). The Act was signed by the President on May 13, 1996, and became immediately effective nationwide on the date of signature. Specifically, one provision of the law requires the collection, storage, and transportation of the following types of batteries be managed according to standards established in the Universal Waste Rule: used rechargeable batteries, lead-acid batteries not covered by 40 CFR part 266 or the equivalent requirements of an approved State program, rechargeable alkaline batteries, certain mercury-containing batteries banned from domestic sale, and used consumer products containing rechargeable batteries that are not easily removable. The law prohibits State-imposed requirements that are not identical to those found in the Federal Universal Waste Rule, but allows States to adopt and enforce identical standards and to implement and enforce collection, storage, and transport requirements identical to those included in the universal waste rule if the standards are approved by the EPA Administrator.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined
Direct Final Rule	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Local

Federalism: Undetermined

Additional Information: SAN No. 3888

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RIN: 2050-AE39

3804. FINAL DETERMINATION OF THE APPLICABILITY OF THE TOXICITY CHARACTERISTIC RULE TO PETROLEUM CONTAMINATED MEDIA AND DEBRIS FROM UNDERGROUND STORAGE TANKS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6921 RCRA sec 3001

CFR Citation: 40 CFR 261

Legal Deadline: None

Abstract: In the final hazardous waste Toxicity Characteristic (TC) rule published in June 1990, EPA decided to temporarily defer application of the TC rule to petroleum-contaminated media and debris, such as soils and groundwater, that result from underground storage tank (UST) corrective actions. This rule is part of the Agency's commitment to make a final determination regarding the UST temporary deferral. The temporary deferral was, in part, based on the Agency's concern that without such a deferral, UST cleanup procedures would be adversely affected, resulting in delays in remedial action and increases in remediation costs. Since this action is deregulatory, there are no adverse effects on small businesses, or on State, local, or tribal governments.

Timetable:

Action	Date	FR Cite
NPRM	02/12/93	58 FR 8504
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Undetermined

Additional Information: SAN No. 3189

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RIN: 2050-AD69

3805. LISTING DETERMINATION OF WASTES GENERATED DURING THE MANUFACTURE OF AZO, ANTHRAQUINONE, AND TRIARYLMETHANE DYES AND PIGMENTS

Priority: Other Significant

Legal Authority: 42 USC 6921 RCRA sec 3001; 42 USC 9602 Superfund (CERCLA) sec 102

CFR Citation: 40 CFR 261; 40 CFR 264; 40 CFR 265; 40 CFR 271; 40 CFR 302

Legal Deadline: NPRM, Judicial, June 30, 1999, Dyes II (deferred wastes) NPRM: met deadline—See additional information.

Abstract: This action addresses the potential human health and environmental risks posed by wastes from the manufacture of dyes and pigments, and determines whether these wastes should be listed as hazardous wastes under RCRA to control any potentially unacceptable risks. If listed under RCRA, these wastes would also be added to the CERCLA list of hazardous substances. This action will be implemented by EPA and States authorized under RCRA. Impacts on local governments are not expected, and there may be some small business impacts. EPA proposed listing decisions for most wastes in 1994 (Dyes-I), and deferred decisions on several others. Two deferred waste streams (filter aids and triarylmethane sludges) are subject to separate deadlines for proposed and final action (Dyes II rulemaking). The Dyes II NPRM was published on July 23, 1999. The rules proposed in 1994 and 1999 were incomplete because they did not contain information claimed to be confidential by industry. Therefore, a NODA for each proposal will be necessary, when EPA is able to release an adequate record. The deadlines are based on recent settlement discussions with plaintiffs in EDF v. Browner, Civil Action No. 89-0598 D.D.C.

Timetable:

Action	Date	FR Cite
NPRM - Dyes I	12/22/94	59 FR 66072
NPRM - Dyes II (Deferred Wastes)	07/23/99	64 FR 40192
Notice - Dyes I Notice of Data Availability. See Judicial Deadlines	To Be	Determined

EPA—Resource Conservation and Recovery Act (RCRA)

Long-Term Actions

Action	Date	FR Cite
Notice - Dyes II Notice of Data Availability. See Judicial Deadlines	To Be Determined	
Final Action - Dyes I. See Judicial Deadline	To Be Determined	
Final Action - Dyes II (Deferred Wastes). See Judicial Deadline	To Be Determined	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** Federal, State, Tribal**Additional Information:** SAN No. 3066

Court deadline information: Dyes I and II final rules due 13 months after NODAs are signed.

Dyes I & II NODAs due by 67 days after the injunction is lifted from MaGruder case.

Sectors Affected: 325132 Organic Dye and Pigment Manufacturing

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RIN: 2050-AD80**3806. CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS (SWMUS) AT HAZARDOUS WASTE MANAGEMENT FACILITIES****Priority:** Economically Significant. Major under 5 USC 801.**Unfunded Mandates:** Undetermined**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 6924 RCRA sec 3004(u); 42 USC 6924 RCRA sec 3004(v)**CFR Citation:** 40 CFR 264; 40 CFR 270**Legal Deadline:** None

Abstract: Past and present waste management practices at Resource Conservation and Recovery Act (RCRA) treatment, storage or disposal facilities have resulted in releases of hazardous constituents from some waste management units. These releases may cause contamination of soils, groundwater, surface water, and air. This regulation provides a framework for investigating and remediating releases at RCRA facilities as necessary to protect human health and the environment.

The Agency has issued the corrective action regulations in several phases. A proposal for corrective action at RCRA facilities was published in July 1990. In February 1993, regulations concerning Corrective Action Management Units (CAMU) and Temporary Units were issued. An advance notice of proposed rulemaking (ANPRM) was published on May 1, 1996, which provided further guidance on implementation of the corrective action program and requested comment on the future direction of the program, including resolution of the 1990 proposal. In October 1999, the Agency announced its decision to withdraw most provisions of the July 1990 proposal.

Timetable:

Action	Date	FR Cite
NPRM	07/27/90	55 FR 30798
Final Rule (Phase I)	02/16/93	58 FR 8658
ANPRM	05/01/96	61 FR 19432
Notice - Partial Withdrawal of Proposed Rulemaking.	10/07/99	64 FR 54604
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Additional Information:** SAN No. 2390

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RIN: 2050-AB80**3807. RCRA SUBTITLE C FINANCIAL TEST CRITERIA (REVISION)****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 6912(a) RCRA sec 2002(a); 42 USC 6924 RCRA sec 3004; 42 USC 6925 RCRA sec 3005; 42 USC 6926 RCRA sec 3006**CFR Citation:** 40 CFR 264; 40 CFR 265; 40 CFR 280; 40 CFR 761**Legal Deadline:** None

Abstract: The revised financial responsibility test is intended to improve the current test in predicting which firms will enter bankruptcy and not be able to cover their financial obligations for liability and closure costs of hazardous waste treatment, storage and disposal facilities. A bankrupt firm may be unable to afford the proper closure of a facility which would require the government to incur response costs at the facility. The rule would also qualify owners and operators of RCRA Treatment, Storage, and Disposal Facilities which must currently use more expensive ways, such as surety bonds or letters of credit, of demonstrating financial assurance, to use the less expensive corporate financial responsibility test for more of their obligations. The combined savings from screening out riskier firms and making the test more available to viable firms would be approximately \$19 million annually in public and private costs. These regulatory amendments would have no effect on local or tribal governments.

Timetable:

Action	Date	FR Cite
NPRM	07/01/91	56 FR 30201
NPRM	10/12/94	59 FR 51523
Notice of Data Availability	05/00/01	
Final Action	11/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** Federal, State**Additional Information:** SAN No. 2647**Sectors Affected:** 323110 Commercial Lithographic Printing; 323114 Quick

EPA—Resource Conservation and Recovery Act (RCRA)

Long-Term Actions

Printing; 325131 Inorganic Dye and Pigment Manufacturing; 325188 All Other Basic Inorganic Chemical Manufacturing; 325998 All Other Miscellaneous Chemical Product Manufacturing; 331311 Alumina Refining; 325211 Plastics Material and Resin Manufacturing; 32551 Paint and Coating Manufacturing; 32511 Petrochemical Manufacturing; 32512 Industrial Gas Manufacturing; 325188 All Other Basic Inorganic Chemical Manufacturing; 325193 Ethyl Alcohol Manufacturing; 325199 All Other Basic Organic Chemical Manufacturing; 325998 All Other Miscellaneous Chemical Product Manufacturing; 311942 Spice and Extract Manufacturing; 32411 Petroleum Refineries; 332813 Electroplating, Plating, Polishing, Anodizing and Coloring; 33271 Machine Shops; 332991 Ball and Roller Bearing Manufacturing; 333319 Other Commercial and Service Industry Machinery Manufacturing; 333999 All Other General Purpose Machinery Manufacturing; 336399 All Other Motor Vehicle Parts Manufacturing; 334 Computer and Electronic Product Manufacturing; 336 Transportation Equipment Manufacturing; 48422 Specialized Freight (except Used Goods) Trucking, Local; 56211 Waste Collection; 22111 Electric Power Generation; 22112 Electric Power Transmission, Control and Distribution; 22132 Sewage Treatment Facilities; 56292 Materials Recovery Facilities

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RIN: 2050-AC71

3808. NESHAPS: STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR HAZARDOUS WASTE COMBUSTORS-PHASE II COVERING BOILERS AND CERTAIN INDUSTRIAL FURNACES

Priority: Other Significant

Legal Authority: 42 USC 6924 RCRA sec 3004; 42 USC 6925 RCRA sec 3005; 42 USC 7412 CAA sec 112; 42 USC 7414 CAA sec 114

CFR Citation: 40 CFR 60; 40 CFR 63; 40 CFR 260; 40 CFR 264; 40 CFR 265; 40 CFR 266; 40 CFR 270

Legal Deadline: NPRM, Judicial, January 31, 2001, Settlement agreement for boilers and other industrial furnaces.

Abstract: Under the Clean Air Act (CAA), EPA is required to establish National Emission Standards for Hazardous Air Pollutants (NESHAPs) for most hazardous waste combustors (HWCs) (i.e., incinerators, cement kilns, boilers, and some types of smelting furnaces). In addition, under the Resource Conservation and Recovery Act (RCRA), EPA is required to establish standards for all HWCs as necessary to ensure protection of human health and the environment. EPA is concerned that its current RCRA standards for HWCs may not be adequately protective given that the standards do not take into account indirect pathways of exposure and that there have been advances both in risk assessment and control technologies since promulgation of the current standards. The Agency is in the process of developing a proposal to address boilers and possibly other industrial furnaces, which combust hazardous wastes.

Timetable:

Action	Date	FR Cite
NPRM - Cement Kilns & Lightweight Aggregate Kilns & Incinerators	04/19/96	61 FR 17358
Final Action - MACT Fasttrack	06/19/98	63 FR 33782
Final Action - Cement Kilns & LWAKs & Incinerators (Final-Phase I)	09/30/99	64 FR 52828
NPRM - Boilers & Other Industrial Furnaces (Phase II)	11/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State

Additional Information: SAN No. 3333

For information on the Phase I portion of this effort, see SAN 4418, RIN 2050-AE79.

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RIN: 2050-AE01

3809. LAND DISPOSAL RESTRICTIONS; POTENTIAL REVISIONS FOR MERCURY LISTED AND CHARACTERISTIC WASTES

Priority: Other Significant

Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921; 42 USC 6924

CFR Citation: 40 CFR 268

Legal Deadline: None

Abstract: Some forms of mercury wastes are now required to be treated by either incineration or retorting. Both of these forms of treatment have the potential to emit mercury via air emissions. Also, some information suggests that certain waste types which are required to be retorted are not amenable to that form of treatment. Information on mercury treatment alternatives, especially stabilization, has been requested. There also is a shrinking demand for mercury, which brings up concerns about requiring recovery of mercury wastes.

EPA addressed these issues in an Advance Notice of Proposed Rulemaking (ANPRM) which solicited data and comments on treatment data that the Agency has gathered on the treatment of mercury wastes. The data and information gathered by this ANPRM process provide the bases of the proposed revised treatment standards for some forms of mercury hazardous wastes.

Timetable:

Action	Date	FR Cite
ANPRM	05/28/99	64 FR 28949
NPRM	10/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

Federalism: Undetermined

Additional Information: SAN No. 4094

Sectors Affected: 325181 Alkalies and Chlorine Manufacturing; 3353 Electrical Equipment Manufacturing; 3254 Pharmaceutical and Medicine Manufacturing; 32551 Paint and Coating Manufacturing

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EPA—Resource Conservation and Recovery Act (RCRA)

Long-Term Actions

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RIN: 2050-AE54

3810. REVISIONS TO SOLID WASTE LANDFILL CRITERIA—LEACHATE RECIRCULATION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6907; 42 USC 6912; 42 USC 6944; 42 USC 6949

CFR Citation: 40 CFR 258

Legal Deadline: None

Abstract: On April 6, 2000, EPA requested comment and information on two issues related to the Criteria for Municipal Solid Waste Landfills (65 FR 18014). First, we requested data and information on the performance of alternative liner designs compared to the performance of composite liners when leachate is recirculated. Second, we requested data and information on the design and performance of bioreactor landfills.

EPA is reviewing all responses to this request for information, as well as additional information in our own data base, and is considering issuing a Notice of Proposed Rulemaking revising the Criteria for Municipal Solid Waste Landfills (40 CFR Part 258) to allow alternative liner designs for leachate recirculation and encourage bioreactor landfills.

Timetable:

Action	Date	FR Cite
Notice	04/06/00	65 FR 18014
NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Federalism: Undetermined

Additional Information: SAN No. 4230

Sectors Affected: 562 Waste Management and Remediation Services

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RIN: 2050-AE67

3811. AMENDMENTS TO THE CORRECTIVE ACTION MANAGEMENT UNIT RULE

Priority: Other Significant

Legal Authority: 42 USC 6901 et.seq.

CFR Citation: 40 CFR 260; 40 CFR 264; 40 CFR 271

Legal Deadline: NPRM, Judicial, August 7, 2000, Settlement agreement calls for proposal to be signed by 08/07/2000.
Final, Judicial, October 8, 2001, Settlement agreement calls for final to be signed by 10/8/2001.

Abstract: EPA has proposed amendments to the existing RCRA Corrective Action Management Unit (CAMU Regulation (at 40 CFR 264.552). CAMUs are used for managing remediation wastes onsite during the course of implementing corrective action or cleanup at a facility. CAMUs can promote cleanups by allowing a broader range of cleanup activities than are allowed under the other hazardous waste management regulations. Upon finalization, the amendments will add more detail to the treatment and technical standards for management of cleanup wastes in CAMUs.

Timetable:

Action	Date	FR Cite
NPRM	08/22/00	65 FR 51079
Final Action	10/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: SAN No. 4419

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RIN: 2050-AE77

3812. • RCRA CONTROLS FOR WASTEWATER TREATMENT UNITS

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 6922; 42 USC 6924; 42 USC 6925; 42 USC 6926; 42 USC 6974

CFR Citation: 40 CFR 260; 40 CFR 264; 40 CFR 265

Legal Deadline: None

Abstract: EPA is evaluating health risks posed by wastewater treatment units and is considering control requirements and/or emission standards for those units that are currently exempt from such requirements. Any standards eventually imposed by this action would be intended to mitigate human health risks, particularly direct inhalation risks, posed by these units. The wastewater treatment units of concern are tanks in which hazardous wastes are treated and subsequently released to surface waters or sewage treatment facilities regulated under the Clean Water Act (CWA). Although wastewater discharges from these tanks are regulated under the CWA, the tanks themselves are not and are also "temporarily exempt" from hazardous waste regulations under the RCRA. Wastewater treatment units have been exempt from RCRA regulations for many years, although the Agency has stated its concerns about these units and its intention to reconsider, at some point, the temporary exemption.

Recent studies undertaken by EPA's Office of Solid Waste have identified air emissions from waste management units as an area that is not well addressed by RCRA hazardous waste regulations. In particular, study findings show wastewater treatment units to be the waste management unit of most concern for direct inhalation risks. Not only can these units pose the greatest inhalation risks when compared to other waste management units, but these units are specifically exempted from all existing RCRA air emission controls. Air emission controls imposed by the Clean Air Act (CAA) address air emissions from some wastewater treatment units, but these requirements depend on industry sector, quantity of emissions, and technologies available. This action constitutes the Agency's evaluation of the longstanding temporary wastewater treatment unit exemption and an

EPA—Resource Conservation and Recovery Act (RCRA)

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attempt to reduce unacceptable inhalation risks, where CAA and RCRA regulations are absent, from the treatment of hazardous wastes in wastewater treatment units.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Federalism: Undetermined

Additional Information: SAN No. 4430

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RIN: 2050-AE82

3813. • STANDARDS FOR THE MANAGEMENT OF COAL COMBUSTION WASTES - NON-POWER PRODUCERS AND MINEFILLING

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 42 USC 6907(a)(3); 42 USC 6944

CFR Citation: 40 CFR 257

Legal Deadline: None

Abstract: This action is for the development of proposed and final regulations for the management of coal combustion wastes that are generated by non-electric utility coal burners and managed in landfills and surface impoundments, and for the practice of minefilling of coal combustion wastes. Any such regulations will be developed under the authority of Subtitle D (non-hazardous waste) of the Resource Conservation and Recovery Act (RCRA).

On April 25, 2000, EPA issued a regulatory determination for fossil fuel combustion wastes (65 FR 32214, May 22, 2000) to announce its decision about whether certain wastes from the combustion of fossil fuels (including coal, oil and natural gas) should remain exempt from Subtitle C (management as hazardous waste) of RCRA for the

wastes that were addressed. The Agency decided to retain the exemption from hazardous waste management for all of the fossil fuel combustion wastes. However, the Agency also determined and announced that regulations under RCRA Subtitle D (management as non-hazardous wastes) are appropriate for management of certain coal combustion wastes that are disposed in landfills and surface impoundments. EPA also announced that the Agency would consult with the U.S. department of the Interior on appropriate measures under the Surface Mining Control and Reclamation Act (SMCRA) or RCRA or some combination of both to address the disposal of coal combustion wastes when used for minefill in surface and underground mines.

The utility industry has made significant improvements in waste management practices over recent years, and most State regulatory programs are similarly improving. Nevertheless, public comments and other analyses have convinced the Agency that coal combustion wastes could pose risks to human health and the environment if they are not properly managed. There is sufficient evidence that adequate controls may not be in place. For example, while most States can now require newer waste management units to include liners and groundwater monitoring, less than about 50 percent of existing non-utility landfills are lined. (These statistics exclude municipal solid waste landfills which are not the subject of this action.) EPA acknowledges that some waste management units may not warrant liners and/or groundwater monitoring, depending on site-specific characteristics. The Agency believes the general lack of these measures justifies the development of national regulations.

The Agency also decided that national regulations under RCRA subtitle D and/or SMCRA are appropriate for the practice of minefilling coal combustion wastes. EPA found that when these wastes are minefilled, they could present a danger to human health and the environment under certain circumstances, and there are few states that currently operate comprehensive programs that specifically address the unique circumstances of minefilling.

Timetable:

Action	Date	FR Cite
NPRM	03/00/03	
Final Action	08/00/04	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, State, Local, Tribal

Federalism: Undetermined

Additional Information: SAN No. 4469

Any Federal, State, local or tribal governments that own/operate coal-burning facilities (excluding facilities that primarily generate electric power for sale) or coal mines that accept coal combustion wastes may be subject to this rule.

Sectors Affected: 311 Food Manufacturing; 313 Textile Mills; 337 Furniture and Related Product Manufacturing; 2121 Coal Mining; 322 Paper Manufacturing; 325 Chemical Manufacturing; 331 Primary Metal Manufacturing; 336 Transportation Equipment Manufacturing; 62 Health Care and Social Assistance; 22112 Electric Power Transmission, Control and Distribution

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RIN: 2050-AE83

3814. • PROJECT XL SITE-SPECIFIC RULEMAKING FOR THE US FILTER RECOVERY SERVICES, ROSEVILLE, MINNESOTA AND APPROVED GENERATORS AND TRANSPORTERS OF USFRS XL WASTE.

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6912; 42 USC 6921; 42 USC 6922; 42 USC 6923; 42 USC 6926; 42 USC 6930; 42 USC 6937; 42 USC 6938; 42 USC 6974

EPA—Resource Conservation and Recovery Act (RCRA)

Long-Term Actions

CFR Citation: 40 CFR 260 to 265; 40 CFR 268; 40 CFR 270; 40 CFR 273; 40 CFR 279

Legal Deadline: None

Abstract: EPA is proposing this rule to implement a project under the Project XL program that would provide regulatory flexibility under the Resource Conservation and Recovery Act (RCRA), as amended for the US Filter Recovery Services (USFRS) facility located at 2430 Rose Place, Roseville, Minnesota, 55113 and approved Minnesota generators and transporters of wastes from the use of USFRS's waste water treatment ion exchange resins. The principal objective of this USFRS XL Project is to pilot a flexible, performance-based system for managing waste waters from electroplaters, metal finishers and similar industries who by virtue of their using USFRS water treatment ion exchange resins generate electroplating

sludges which are regulated hazardous wastes. To achieve this, today's proposed rule would provide regulatory flexibility to allow approved generators and transporters of USFRS's water treatment ion exchange resin wastes to replace existing requirements for hazardous waste generators and transporters with a comprehensive program designed and implemented by USFRS to properly store and transport the USFRS water treatment ion exchange resins. The overall terms of this XL project are contained in the draft Final Project Agreement (FPA).

Timetable:

Action	Date	FR Cite
NPRM	08/17/00	65 FR 50283
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State

Additional Information: SAN No. 4437

Sectors Affected: 332813
Electroplating, Plating, Polishing, Anodizing and Coloring

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RIN: 2090-AA15

Environmental Protection Agency (EPA)

Completed Actions

Resource Conservation and Recovery Act (RCRA)

3815. REGULATORY DETERMINATION ON REMAINING WASTES FROM THE COMBUSTION OF FOSSIL FUELS

Priority: Other Significant

CFR Citation: None

Completed:

Reason	Date	FR Cite
Final Action - Regulatory Determination Wastes From Combustion of Fossil Fuels	05/22/00	65 FR 32214

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 2050-AD91

3816. CRITERIA FOR MUNICIPAL SOLID WASTE LANDFILLS (COMPLETION OF A SECTION 610 REVIEW)

Priority: Info./Admin./Other

Legal Authority: 5 USC 610

CFR Citation: 40 CFR 258

Legal Deadline: None

Abstract: The Agency promulgated the Solid Waste Disposal Facility Criteria; Final Rule on October 9, 1991 (56 FR 50978). These criteria established national minimum standards for municipal solid waste landfills (MSWLFs). The rule provides considerable flexibility for all MSWLFs and contains a special exemption from the criteria's design and groundwater monitoring requirements for owners and operators of certain small MSWLFs. Small MSWLFs are defined as units that dispose of less than twenty (20) tons of municipal solid waste daily.

The Regulatory Flexibility Act (RFA) requires federal agencies to assess a proposed regulation's impact on small businesses, small organizations, and small governmental jurisdictions. The Regulatory Flexibility Analysis performed for this rule showed a significant economic impact on small governments, including small Tribes even with the special exemption for small MSWLFs, which reduced the impact to the extent that less than two percent of local governments exceeded the significant economic impact threshold (56 FR 50989).

Section 610 of the RFA also requires these agencies to conduct periodic reviews of codified regulations that have significant economic impacts on small entities. This review, commonly called a "610 Review," must be conducted by a rule's tenth anniversary. The Environmental Protection Agency (EPA) provides public notice of 610 Reviews in its Regulatory Agenda, which is published twice a year in the Federal Register.

On November 22, 1999, EPA published a Federal Register Notice (64 FR 65124) of our intent to review and solicit comments on the impact of the MSWLF Criteria on small entities pursuant to Section 610 of the RFA. EPA solicited comment on the following factors, especially as they impact a small entity: (1) the continued need for the rule; (2) the nature of complaints or comments received concerning the rule from the public since promulgation; (3) the complexity of the rule; (4) the extent to which the rule overlaps, duplicates or conflicts with other Federal rules, and, to the extent feasible, with State and local governmental rules; and (5) the length of time since the rule has been evaluated or the degree to which technology, economic conditions, or

EPA—Resource Conservation and Recovery Act (RCRA)

Completed Actions

other factors have changed in the area affected by the rule.

In response to this Notice, EPA received six comments specifically addressing issues regarding small entities and the MSWLF Criteria. As a result of this review, we conclude that this rule should be continued without change and do not plan to rescind or amend this rule with respect to small entities.

Sections 1003(a) and 4004 of RCRA require EPA to promulgate criteria for sanitary landfills, thus this rule

continues to be needed. EPA believes that Part 258 provides, within the limitations of statutory authority, considerable flexibility for small

Timetable:

Action	Date	FR Cite
Final Action	10/09/91	56 FR 50978
Begin Review	11/22/99	64 FR 65124
Comment Period End	04/24/00	65 FR 23547
End Review - Decision To Leave Rule Unchanged at This Time	08/28/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4350

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RIN: 2050-AE75

Environmental Protection Agency (EPA)
Oil Pollution Act (OPA)

Final Rule Stage

3817. OIL POLLUTION PREVENTION REGULATION: REVISIONS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1321 CWA sec 311(j)(1)(C)

CFR Citation: 40 CFR 112

Legal Deadline: None

Abstract: Following a major inland oil spill with substantial environmental impacts (i.e., Ashland Oil in Floreffe, PA, in January 1988), an interagency task force recommended steps to improve EPA's oil spill prevention program (40 CFR part 112). This program requires oil storage facilities to

prevent and contain discharges that could reach waters of the United States. On October 22, 1991, the Agency proposed revisions to implement some of the task force recommendations and on February 17, 1993, the Agency proposed further clarifications and technical changes to the spill prevention regulations. On December 2, 1997, EPA supplemented the 1991 and 1993 proposed revisions with a proposal to reduce burdens associated with the oil spill prevention program by reducing the recordkeeping provisions or exempting some facilities from some recordkeeping requirements. This rule will take final action on the 1991, 1993, and 1997 proposals.

Timetable:

Action	Date	FR Cite
NPRM	10/22/91	56 FR 54612

Action	Date	FR Cite
NPRM	02/17/93	58 FR 8824
Supplemental NPRM	12/02/97	62 FR 63812
Final Action	11/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 2634

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Environmental Protection Agency (EPA)
Oil Pollution Act (OPA)

Completed Actions

3818. FACILITY RESPONSE PLAN REGULATION FOR CERTAIN NON-TRANSPORTATION-RELATED FACILITIES THAT HANDLE, STORE, OR TRANSPORT VEGETABLE OILS AND ANIMAL FATS

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 112 (Revision)

Completed:

Reason	Date	FR Cite
Final Action	06/30/00	65 FR 40775

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 2050-AE64

Environmental Protection Agency (EPA) Comprehensive Environmental Response, Compensation and Liability Act

Proposed Rule Stage

3819. REPORTABLE QUANTITY ADJUSTMENTS FOR CARBAMATES

Priority: Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 11004; 42 USC 9602(a)**CFR Citation:** 40 CFR 302; 40 CFR 355**Legal Deadline:** None

Abstract: EPA has listed carbamate waste streams as hazardous wastes under the Resource Conservation and Recovery Act (RCRA). RCRA listed wastes, by statute, automatically become hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and are assigned a one pound statutory reportable quantity (RQ) unless EPA adjusts them. These substances also become subject to reporting requirements under the Emergency Planning and Community Right-to-Know Act (EPCRA) with a one pound threshold. EPA, in this action, will propose RQ adjustments for the carbamates. Most RQ adjustments are expected to be greater than one pound. Raising the RQs for these substances would decrease the burden on: (1) the regulated community for complying with the reporting requirements under CERCLA and EPCRA; (2) Federal, State, and local authorities for program implementation; and (3) Federal, State, or local authorities, if they release hazardous substances at the RQ level or greater.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis
Required: No

Small Entities Affected: No**Government Levels Affected:** None**Additional Information:** SAN No. 3423

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RIN: 2050-AE12

3820. NATIONAL PRIORITIES LIST FOR UNCONTROLLED HAZARDOUS WASTE SITES: PROPOSED AND FINAL RULES

Priority: Substantive, Nonsignificant**Legal Authority:** 42 USC 9605
Superfund (CERCLA) sec 105**CFR Citation:** 40 CFR 300.425**Legal Deadline:** None

Abstract: This action will revise the sites included on the National Priorities List (NPL) of uncontrolled waste sites in the National Contingency Plan (NCP). CERCLA requires that the Agency revise the NPL at least annually. Periodic revisions will allow EPA to include sites on the NPL with known or threatened hazardous substance releases and to delete sites that have been cleaned up.

Timetable:

Action	Date	FR Cite
NPRM 24	03/06/98	63 FR 11340
Final Action 20	03/06/98	63 FR 11332
NPRM 25	07/28/98	63 FR 40247

Action	Date	FR Cite
Final Action 21	07/28/98	63 FR 40182
Final Action - Tex-Tin Corp	09/18/98	63 FR 49855
NPRM 26	09/29/98	63 FR 51882
Final Action 22	09/29/98	63 FR 51848
NPRM 27	01/19/99	64 FR 2950
Final Action 23	01/19/99	64 FR 2942
NPRM - Midnight Mine	02/16/99	64 FR 7564
NPRM 28	04/23/99	64 FR 19968
NPRM - Alameda	05/10/99	64 FR 24990
Final Action 24	05/10/99	64 FR 24949
NPRM 29	07/22/99	64 FR 39886
Final Action 25	07/22/99	64 FR 39878
NPRM 30	10/22/99	64 FR 56992
Final Action	10/22/99	64 FR 56966
NPRM 31	02/04/00	65 FR 5468
Final Action 26	02/04/00	65 FR 5435
NPRM 32	05/11/00	65 FR 30489
Final Action 28	05/11/00	65 FR 30482
NPRM 33	07/27/00	65 FR 46131
Final Action	07/27/00	65 FR 46096
NPRM	10/00/00	
Final Action	10/00/00	

Regulatory Flexibility Analysis
Required: No

Small Entities Affected: No**Government Levels Affected:** Federal,
State, Local**Additional Information:** SAN No. 3439

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RIN: 2050-AD75

Environmental Protection Agency (EPA) Comprehensive Environmental Response, Compensation and Liability Act

Final Rule Stage

3821. GRANTS FOR TECHNICAL ASSISTANCE RULE REFORM—40 CFR PART 35 SUBPART M

Priority: Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline
requirements.

Legal Authority: 42 USC 9617(e)
Superfund (CERCLA) sec 117**CFR Citation:** 40 CFR 35**Legal Deadline:** None

Abstract: The revisions to the Technical Assistance Grants (TAG) Rule are intended to simplify the application and administrative processes. The new TAG Rule would eliminate the requirement that funding periods may not exceed 3 years. Funding periods would be negotiated

EPA—Comprehensive Environmental Response, Compensation and Liability Act

Final Rule Stage

with TAG applicants so that they have flexibility to synchronize the period of time during which the recipient anticipates having a technical advisor involved with the schedule of work at a site. In addition, the new rule would eliminate the 20 percent ceiling for administrative costs of a grant so that recipients do not need to differentiate between programmatic and administrative costs. The distinction between sole and multiple applicants is eliminated under the rule, since both must meet identical criteria. The requirement that the applicant demonstrate that there is an actual or potential health threat posed to group members by the site would also be deleted since EPA believes that there is a potential health threat at all Superfund sites. EPA also believes that all Superfund sites pose potential

economic and recreational threats to adjacent communities, and that there is no need for the applicant to provide evidence of those threats. Furthermore, EPA may already have sufficient information from various sources concerning the potential health, economic, and recreational threats posed by Superfund sites. The proposed rule also included a new provision that if finalized would allow communities to receive cash advances of up to \$5,000.

Timetable:

Action	Date	FR Cite
NPRM	08/24/99	64 FR 46233
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal, State

Additional Information: SAN No. 3806

NPRM-<http://www.epa.gov/fedrgstr/EPA-GENERAL/1999/August/Day-24/g20871.htm>

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RIN: 2050-AE33

Environmental Protection Agency (EPA)

Long-Term Actions

Comprehensive Environmental Response, Compensation and Liability Act

3822. REPORTING EXEMPTIONS FOR FEDERALLY PERMITTED RELEASES OF HAZARDOUS SUBSTANCES

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1321; 33 USC 1361; 42 USC 9602; 42 USC 11004

CFR Citation: 40 CFR 117; 40 CFR 302; 40 CFR 355

Legal Deadline: None

Abstract: This action would clarify the definition of federally permitted release under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Federally permitted releases of hazardous substances are exempt from CERCLA reporting and liability, and from reporting under section 304 of the Emergency Planning and Community Right-to-Know Act.

Timetable:

Action	Date	FR Cite
NPRM	07/19/88	53 FR 27268
Supplemental Notice	07/11/89	54 FR 29306
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 2394

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RIN: 2050-AB82

3823. STREAMLINING THE PREAUTHORIZATION MIXED FUNDING FOR APPLICATION AND IMPLEMENTATION OF CLAIMS AGAINST SUPERFUND

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 9601

CFR Citation: 40 CFR 307

Legal Deadline: None

Abstract: Current regulations at 40 CFR part 307 provide for the preauthorization of claims against the Superfund in instances where the Agency makes a determination that mixed funding is appropriate. This process has been labeled by many stakeholders as overly burdensome. The Agency has reviewed the current

process in order to identify areas in which burdens may be lessened and requirements may be streamlined. As a result, the Agency is considering a proposal to amend the current regulation to: streamline the application process by eliminating duplicative information requirements; minimize the requirements related to management, oversight, and reporting of the cleanup, by removing the requirement to be guided by the Federal Acquisition Requirements, and replacing the requirement of maximum free and open competition with a bright-line standard; allow claimants to provide independent certification of claims and supporting documentation; streamline the actual payment process by taking advantage of the electronic funds transfer process; ensure that cost recovery concerns are addressed by requiring claimants, within a settlement document, to reimburse the Fund for costs not recovered (only in the event cost recovery is initiated), due to claimants' failure to provide adequate documentary support or upon a determination that response costs expended (and claimed) were not reasonable or not incurred consistent with the National Contingency Plan and ensure proper accounting by requiring offsets for funds owed to the Agency by claimants.

EPA—Comprehensive Environmental Response, Compensation and Liability Act

Long-Term Actions

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** SAN No. 3885

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RIN: 2050-AE38

3824. REVISE 40 CFR PART 35 SUBPART O: COOPERATIVE AGREEMENTS AND SUPERFUND STATE CONTRACTS FOR SUPERFUND RESPONSE ACTIONS

Priority: Other Significant**Legal Authority:** 42 USC 9601 to 9675**CFR Citation:** 40 CFR 35 Subpart O**Legal Deadline:** None

Abstract: 40 CFR Part 35 Subpart O is the Superfund Administrative Regulation that governs awarding of Superfund cooperative agreements (CAs) to States, Indian tribes, and territories of the United States. Subpart O covers State-lead, site-specific cooperative agreements for non-time-critical removal, preredial, remedial, and enforcement actions, and site-specific management assistance for Federal-lead projects. Also covered by subpart O are non-site-specific Core Program and Voluntary Cleanup Program State infrastructure development, as well as Brownfields pilots, and Brownfields assessments. The requirements for Superfund State contracts, financial administration, property, procurement, reporting, recordkeeping, and closeout are provided in subpart O.

Subpart O was promulgated 6/5/1990, and became effective on 7/5/1990. Many changes in the Superfund program have occurred over the past almost ten years and these need to be reflected in subpart O. The six categories of CAs presently used in subpart O need greater flexibility to accommodate the new types of CAs that have developed. For example, the

number of Block Funding Reform pilots, begun in 1997, to consolidate several of the cooperative agreements offered in subpart O, has grown to about 16 for Fiscal Year 2000, and have generated at least 60 approved deviation requests from subpart O and 40 CFR part 31. These pilot projects offer considerable administrative relief to States, tribes, and EPA by reducing reporting requirements, broadening scope changes without amendment, increasing the ability to move monies within and among CAs, and relaxing application requirements regarding site-specific identification of cooperative agreement funds to certain activities, while maintaining site-specific drawdown requirements needed for cost recovery and Superfund accounting. Subpart O also needs to be conformed with part 31 (Uniform Administrative Requirements for Grants and Cooperative Agreements).

EPA expects to institutionalize the combining of CA types, create more flexible reporting requirements, permit greater scope changes without amendment, provide more flexible money movement within and among CAs, and other policy advances in State/tribal/EPA interaction.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** Federal, State, Local, Tribal**Federalism:** Undetermined

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Additional Information: SAN No. 4177

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RIN: 2050-AE62

3825. CRITERIA FOR THE DESIGNATION OF HAZARDOUS SUBSTANCES UNDER CERCLA SECTION 102(A)

Priority: Other Significant**Legal Authority:** 42 USC 9602**CFR Citation:** 40 CFR 302.4**Legal Deadline:** None

Abstract: This action will address the development of evaluation criteria for the designation of substances as hazardous under CERCLA. It is necessary to develop evaluation criteria because the Agency has the authority under CERCLA 102(a) to designate substances as hazardous; however, the Agency does not have criteria to do so. To date the only substances designated as CERCLA hazardous substances are as a result of their appearance on other acts' lists defined under CERCLA 101(14). Using CERCLA designation criteria the Agency may establish CERCLA hazardous substances independently from other acts, in the interest of public health and the environment.

The purpose of this action is to have well thought-out criteria for designating hazardous substances that may be applied to individual substances for evaluation and decision as to whether or not the substance should be appropriately designated a CERCLA 102(a) hazardous substance. The Agency already has the authority to designate substances as hazardous; in this action, criteria will be developed to implement that authority.

Timetable:

Action	Date	FR Cite
ANPRM	11/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** SAN No. 4201

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EPA—Comprehensive Environmental Response, Compensation and Liability Act

Long-Term Actions

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RIN: 2050-AE63

Environmental Protection Agency (EPA)

Prerule Stage

Clean Water Act (CWA)

3826. EFFLUENT GUIDELINES AND STANDARDS FOR THE ORGANIC CHEMICALS, PLASTICS AND SYNTHETIC FIBERS CATEGORY (SECTION 610 REVIEW)**Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 610**CFR Citation:** 40 CFR 414**Legal Deadline:** None

Abstract: In November 1987, EPA established effluent limitations guidelines and standards for the Organic Chemicals, Plastics, and Synthetic Fibers (OCPSF) industrial category (52 FR 42522, November 5, 1987), under the authority of sections 301, 304, 306, 307, 308, 402, and 501 of the Clean Water Act. In 1993, EPA issued amendments to the final rule (58 FR 36872, July 9, 1993) to respond to the U.S. Fifth Circuit Court of Appeals' remand decisions on the OCPSF regulation. The 1993 amendments resulted in little change to the number or extent of small business impacts. The 1987 final rule incorporated special provisions (i.e., less stringent regulations) to minimize the economic impact for a subset of small plants, and the 1993 amendments maintained those provisions. EPA conducted a regulatory flexibility analysis for the final rule and concluded (for the 1987 rulemaking

and again for the 1993 amendments) that the effluent limitations are economically achievable for the industry as a whole, although some small businesses would experience a significant economic impact. The analysis estimated impacts in terms of plant and product line closures and profit and sales impacts. As reported in the 1993 amendments, EPA projected the following small business impacts: for direct dischargers, EPA projected significant impacts for 77 percent of the small plants; for indirect dischargers, EPA projected significant impacts for 63 percent of the small plants.

EPA is reviewing the 1987 OCPSF regulation pursuant to section 610 of the Regulatory Flexibility Act (5 USC 610). The purpose of this review is to determine whether the OCPSF effluent guidelines should be continued without change, or should be amended or rescinded, to minimize economic impacts on small entities while still complying with the provisions of the Clean Water Act. EPA has already solicited comment on the continued need for the rule; the complexity of the rule; the extent to which it overlaps, duplicates, or conflicts with other Federal, State, or local government rules; and the degree to which

technology, economic conditions, or other relevant factors have changed since the rule was promulgated.

EPA continues to view the effluent limitations for the OCPSF category as a necessary component of the comprehensive program to restore and maintain the quality of our Nation's waters. EPA intends to continue to require compliance with the regulation. Until and unless the Agency modifies the rule, the discharges described in 40 CFR 414.11 remain subject to the final rule.

Timetable:

Action	Date	FR Cite
Final Action	11/05/87	52 FR 42522
Begin Review	11/22/99	64 FR 65140
End Review	11/00/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** SAN No. 4364

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RIN: 2040-AD45

Environmental Protection Agency (EPA)

Proposed Rule Stage

Clean Water Act (CWA)

3827. EFFLUENT GUIDELINES AND STANDARDS FOR THE METAL PRODUCTS AND MACHINERY CATEGORY, PHASES 1 AND 2

Regulatory Plan: This entry is Seq. No. 125 in Part II of this issue of the Federal Register.

RIN: 2040-AB79**3828. EFFLUENT GUIDELINES AND STANDARDS FOR THE IRON AND STEEL MANUFACTURING POINT SOURCE CATEGORY (REVISIONS)****Priority:** Other Significant

Legal Authority: 33 USC 1311 CWA sec 301; 33 USC 1314 CWA sec 304; 33 USC 1316 CWA sec 306; 33 USC 1317 CWA sec 307; 33 USC 1318 CWA sec 308; 33 USC 1342 CWA sec 402; 33 USC 1362 CWA sec 502

CFR Citation: 40 CFR 420

Legal Deadline: NPRM, Judicial, October 31, 2000.

Final, Judicial, April 30, 2002.

Abstract: EPA will propose amendments to the effluent limitations guidelines and standards regulations for the Iron and Steel Manufacturing Point Source Category to reflect significant industry changes related to consolidation and modernization within the U.S. steelmaking industry as well as advances in manufacturing technologies, in-process pollution prevention, water conservation practices, and end-of-pipe wastewater treatment.

EPA—Clean Water Act (CWA)

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Action	04/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** Federal, State, Local**Additional Information:** SAN No. 3833

Sectors Affected: 331111 Iron and Steel Mills; 3312 Steel Product Manufacturing from Purchased Steel; 3328 Coating, Engraving, Heat Treating and Allied Activities; 324199 All Other Petroleum and Coal Products Manufacturing

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RIN: 2040—AC90

3829. EFFLUENT GUIDELINES AND STANDARDS FOR FEEDLOTS POINT SOURCE CATEGORY, AND NPDES REGULATION FOR CONCENTRATED ANIMAL FEEDING OPERATIONS

Regulatory Plan: This entry is Seq. No. 126 in Part II of this issue of the Federal Register.

RIN: 2040—AD19

3830. WATER QUALITY STANDARDS REGULATION — REVISION

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1313 CWA sec 303(c)

CFR Citation: 40 CFR 131**Legal Deadline:** None

Abstract: Water quality standards set by States and Indian tribes establish the water quality goals for surface waters of the United States and the means by which attainment of these goals will be measured and assured. They are the foundation for protecting water quality and related public health and welfare and the ecological health of the Nation's waters. The Federal water quality standards regulation at 40 CFR part 131 governs the development, review and revision of water quality standards under section 303(c) of the Clean Water Act by States and Indian tribes, and the review and approval of water quality standards by EPA. Based upon the Federal, State, Tribal and local experience gained in the program over the last 20 years, EPA's proposed revisions to 40 CFR 131 are intended to strengthen the water quality standards regulation thus enhancing water quality management on a watershed basis, and focusing Federal, State and tribal resources on the areas of greatest concern. Program areas identified for revision include mixing zone policies and procedures.

Timetable:

Action	Date	FR Cite
ANPRM	07/07/98	63 FR 36741
NPRM	03/00/01	
Final Action	04/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** Federal, State, Local, Tribal**Additional Information:** SAN No. 3662

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RIN: 2040—AC56

3831. WATER QUALITY STANDARDS FOR INDIAN COUNTRY WATERS

Priority: Other Significant**Legal Authority:** 33 USC 1251 et seq**CFR Citation:** 40 CFR 131**Legal Deadline:** None

Abstract: EPA is considering whether to promulgate a national rule containing core Federal water quality standards (WQS) to support tailored, site-specific decisions for certain waters in Indian country that do not have EPA-approved tribal standards. EPA is contemplating this rule as a first step towards ensuring that the core Clean Water Act (CWA) framework for protecting water quality is in place for all such waters. The core Federal water quality standards would establish: use designations consistent with CWA section 101(a) goals, cultural and traditional, and other uses; narrative water quality criteria for protecting the designated uses; and an antidegradation policy designed to protect water quality. Such standards would provide a basis for EPA (in consultation with a tribe) to affect pollution discharges occurring upstream from tribal waters; provide a legally enforceable basis for including water quality based limitations or conditions in permits or certifications for discharges within Indian country; and provide the basis for establishing Total Maximum Daily Loads (TMDLs) for Indian country waters. A Federal promulgation would not prevent tribes from developing their own standards.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	
Final Action	06/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal, State, Tribal**Additional Information:** SAN No. 4344

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RIN: 2040—AD46

EPA—Clean Water Act (CWA)

Proposed Rule Stage

3832. TEST PROCEDURES FOR THE ANALYSIS OF CRYPTOSPORIDIUM AND GIARDIA UNDER THE SAFE DRINKING WATER AND CLEAN WATER ACTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1314(h) CWA 304(h); 33 USC 1361 CWA 501(a); 42 USC 300(f) SDWA 1412; 42 USC 300(g)(1) SDWA 1413; 42 USC 300(g)(2) SDWA 1414; 42 USC 300(g)(3) SDWA 1415; 42 USC 300(g)(4) SDWA 1416; 42 USC 300(g)(5) SDWA 1445; 42 USC 300(j)(4) SDWA 1450; 42 USC 300(j)(9)**CFR Citation:** 40 CFR 136; 40 CFR 141**Legal Deadline:** None**Abstract:** This regulatory action would propose to amend the Guidelines Establishing Test Procedures for the Analysis of Pollutants under 40 CFR Part 136 and the analytical methods under 40 CFR Part 141 to approve EPA Method 1622 for the detection of Cryptosporidium and Giardia in ambient waters and finished drinking water by filtration of a 10-L sample in laboratory, separation of target organisms from other debris using immunomagnetic separation, and detection of the organisms using immunofluorescence assay and differential interference contrast microscopy and confirmation examination of the organisms using vital dye stains.**Timetable:**

Action	Date	FR Cite
NPRM	03/00/01	
Final Action	03/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** Federal, State, Local, Tribal**Additional Information:** SAN No. 4047**Agency Contact:** William A. Telliard, Environmental Protection Agency, Water, 4303, Washington, DC 20460
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Action	Date	FR Cite
NPRM	03/00/01	
Final Action	03/00/02	

Regulatory Flexibility Analysis
Required: No**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** Federal, State, Local, Tribal**Additional Information:** SAN No. 4214**Agency Contact:** William A. Telliard, Environmental Protection Agency, Water, 4303, Washington, DC 20460
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EPA—Clean Water Act (CWA)

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	
Final Action	08/00/02	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** Federal, State, Local, Tribal**Federalism:** Undetermined**Additional Information:** SAN No. 3786**Agency Contact:** Thomas Charlton, Environmental Protection Agency, Water, 4203, Washington, DC 20460
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collection systems. The standard requirements address reporting requirements for SSOs, recordkeeping and capacity assurance, management, operation and maintenance requirements for municipal sanitary sewer collection systems; public notice requirements for SSOs; and a prohibition on SSOs.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	
Final Action	09/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** Federal, State, Local, Tribal**Federalism:** This action may have federalism implications as defined in EO 13132.**Additional Information:** SAN No. 3999

Note: This rule was formerly known as "Revisions to NPDES Requirements for Compliance Reporting and Collection System Discharges."

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Email: brennan.ross@epa.gov**RIN:** 2040—AD02**3837. RECOGNITION AWARDS UNDER THE CLEAN WATER ACT****Priority:** Substantive, Nonsignificant**Legal Authority:** CWA 501(e); 33 USC 1361 (a) and (e)**CFR Citation:** 40 CFR 105 (New)**Legal Deadline:** None**Abstract:** The Environmental Protection Agency (EPA) is establishing a framework for the annual Clean Water Act (CWA) Recognition Awards known as the National Wastewater Management Excellence Awards Program. Section 501(e) of the CWA authorized the Administrator, on behalf of the U.S. Government, to recognize

outstanding technological achievements or innovative processes, methods or devices in waste treatment and pollution abatement programs. The rule would establish regulations under which the recognition may be applied for and granted. The existing awards program recognizes innovative and outstanding achievements, processes, methods or devices in: Operations and Maintenance (O&M) of Publicly Owned Treatment Works (POTW); Beneficial Biosolids Use (Biosolids); POTW Pretreatment Programs; Municipal and Industrial Storm Water (SW) Management; and Combined Sewer Overflows (CSO) Controls. These wastewater management programs can generally be characterized as waste treatment and/or pollution abatement programs. EPA may later establish, discontinue, combine or otherwise rename categories by guidance published in the Federal Register. Though the Agency has conducted an awards program for many years, the rulemaking action clearly acknowledges the basis for the program. EPA is formalizing the CWA Recognition Awards program using a direct final rulemaking because the agency does not expect adverse comments. Unless the Agency receives comments requiring a response during the public comment period associated with an identical companion proposed rule published elsewhere in the Federal Register on the same day, the formalized program would become effective without further notice.

Timetable:

Action	Date	FR Cite
NPRM - Companion of Direct Final Rule	11/00/00	
Direct Final Rule	11/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal, State, Local, Tribal**Additional Information:** SAN No. 4332

Note: This rule was formerly known as National Wastewater Management Excellence Awards Program.

Sectors Affected: 2213 Water, Sewage and Other Systems; 5622 Waste Treatment and Disposal**Agency Contact:** Maria Campbell, Environmental Protection Agency, Water, 4204, Washington, DC 20460
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EPA—Clean Water Act (CWA)

Proposed Rule Stage

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3838. • OCEAN DISCHARGE CRITERIA REVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1343 et seq

CFR Citation: 40 CFR 125.121(a); 40 CFR 125.121(e); 40 CFR 125.122; 40 CFR 125.123; 40 CFR 125.124

Legal Deadline: None

Abstract: EPA is proposing to modify the current CWA Section 403 regulations to address how permits for ocean discharges issued under Section 403 should apply scientific criteria published by the EPA under Section 304(a) of the Act. Currently, the regulations state that authorities should “consider” water quality criteria in issuing ocean permits. Under the revised regulations, it would be assumed that the criteria would be applied unless the permit authority specifically demonstrates that they should not be applied. This “rebuttable presumption” approach would apply to permits issued by EPA for discharges to Federal waters and to EPA or State issued permits for discharges to State waters. Section 403 identifies specific criteria that must be considered when any permit to discharge pollutants into the ocean is issued. These “ocean discharge criteria” apply in addition to the general National Pollution Discharge Elimination System (NPDES) permit requirements of Section 402 and are intended to give added protection to ocean waters. EPA regulations implementing Section 403 require consideration of any “special aquatic sites” including marine sanctuaries, national parks, national seashores, and coral reefs. This regulation would identify and publish methods to be used for the assessment and designation of “special aquatic sites.” Permits issued under Section 403 are based on regulations promulgated in 1980. In order to provide the best possible protection of ocean waters, and specifically address the protection of special sites, the regulations need to be updated and strengthened.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	
Final Action	01/00/02	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal, State, Tribal

Federalism: Undetermined

Additional Information: SAN No. 4446

Sectors Affected: 22132 Sewage Treatment Facilities; 221111 Hydroelectric Power Generation; 221112 Fossil Fuel Electric Power Generation; 42271 Petroleum Bulk Stations and Terminals; 325412 Pharmaceutical Preparation Manufacturing; 311711 Seafood Canning

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RIN: 2040-AD60

3839. CLEAN WATER ACT DEFINITION OF WATERS OF THE UNITED STATES

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1361 CWA sec 501; 33 USC 1362 CWA sec 502

CFR Citation: 33 CFR 328.3(a); 40 CFR 110.1; 40 CFR 112.2; 40 CFR 116.3; 40 CFR 117.1; 40 CFR 122.2; 40 CFR 230.3(s); 40 CFR 232.2; 40 CFR 257.3-1(d); 40 CFR Part 300, Appendix E; 40 CFR 401.11(I)

Legal Deadline: None

Abstract: This action involves joint rulemaking by EPA and the Department of the Army to amend the regulatory definition of waters of the United States. The proposal would clarify the basis for asserting Clean Water Act (CWA) jurisdiction over isolated intrastate waters and wetlands. The existing regulations contain language asserting jurisdiction over isolated intrastate waters, but that regulatory provision has been the subject of litigation. Revision of the regulatory language is necessary to address the court's decision, improve regulatory clarity, and provide more specificity regarding CWA jurisdiction over intrastate isolated waters and wetlands. The rulemaking would apply to entities (e.g., industrial, commercial, governmental) that discharge pollutants, including dredged or fill material, to isolated intrastate surface waters or wetlands. Significant impacts

on small entities or State/local/tribal governments are not anticipated, as the proposed regulatory revisions would be consistent with current Agency practice and policy in carrying out CWA mandates.

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	
Final Action	01/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal, State

Additional Information: SAN No. 2804

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RIN: 2040-AB74

3840. • SITE-SPECIFIC RULE UNDER XL TO GRANT WAIVER FROM BMP REGULATIONS UNDER CWA CLUSTER RULES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1311; 33 USC 1314; 33 USC 1316; 33 USC 1317; 33 USC 1318; 33 USC 1342; 33 USC 1361; 42 USC 7412

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This action is a site-specific rule that will grant the International Paper Androscoggin mill a waiver from certain requirements under the Clean Water Act Pulp and Paper cluster rules. Specifically, in exchange for an exemption from Best Management Practices under the cluster rules, IP will implement a set of effluent improvement projects tailored to the

EPA—Clean Water Act (CWA)

Proposed Rule Stage

Androscoggin mill and will accept new, more stringent limits in the Androscoggin mill's water permit.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Additional Information: SAN No. 4440

Sectors Affected: 3221 Pulp, Paper, and Paperboard Mills

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RIN: 2090-AA12

3841. • PRETREATMENT PROGRAM REINVENTION PILOT PROJECTS UNDER PROJECT XL

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: EPA is proposing changes to the National Pretreatment Program regulations to allow Publicly Owned Treatment Works (POTWs) that have completed the Project eXcellence and Leadership (Project XL) selection process, including Final Project Agreement (FPA) development, to modify their approved local Pretreatment Programs. These POTWs would be allowed to modify their programs following the procedures in 40 CFR 403.18, and implement the new local programs as described in their FPAs.

Timetable:

Action	Date	FR Cite
NPRM - Pretreatment Program Reintervention Projects Under Project XL	10/00/00	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local

Additional Information: SAN No. 4476

Sectors Affected: 22132 Sewage Treatment Facilities

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RIN: 2090-AA16

Environmental Protection Agency (EPA) Clean Water Act (CWA)

Final Rule Stage

3842. EFFLUENT GUIDELINES AND STANDARDS FOR THE CENTRALIZED WASTE TREATMENT INDUSTRY

Priority: Other Significant

Legal Authority: 33 USC 1361 CWA 501; 33 USC 1311 CWA 301; 33 USC 1314 CWA 304; 33 USC 1316 CWA 306; 33 USC 1317 CWA 307; 33 USC 1318 CWA 308; 33 USC 1342 CWA 402

CFR Citation: 40 CFR 437

Legal Deadline: Final, Judicial, August 31, 2000.

Abstract: Centralized Waste Treatment facilities receive hazardous and non-hazardous waste from off-site for treatment or recovery operations (excluding solvent recovery). EPA is developing technology-based effluent limitations and pretreatment standards to control the discharge of pollutants from these facilities. This rule was formerly titled Waste Treatment, Phase I.

Timetable:

Action	Date	FR Cite
NPRM	01/27/95	60 FR 5464
Notice of Data Availability	09/16/96	61 FR 48805
NPRM Reproposal	01/13/99	64 FR 2279
Final Action	11/00/00	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Federal, State, Local

Additional Information: SAN No. 2805

NPRM- <http://www.epa.gov/fedrgstr/EPA-WATER/1999/January/Day-13/w130.htm>.

Sectors Affected: 562219 Other Nonhazardous Waste Treatment and Disposal

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RIN: 2040-AB78

3843. EFFLUENT GUIDELINES AND STANDARDS FOR SYNTHETIC-BASED DRILLING FLUIDS IN THE OIL AND GAS EXTRACTION POINT SOURCE CATEGORY (REVISIONS)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1311 CWA sec 301; 33 USC 1314 CWA sec 304; 33 USC 1316 CWA sec 306; 33 USC 1317 CWA sec 307; 33 USC 1318 CWA sec 308; 33 USC 1342 CWA sec 402; 33 USC 1361 CWA sec 501

CFR Citation: 40 CFR 435

EPA—Clean Water Act (CWA)

Final Rule Stage

Legal Deadline: Final, Judicial,
December 31, 2000.

Abstract: This regulatory action will establish effluent limitations for the use of synthetic-based drilling fluids (SBF). Although oil and gas extraction is covered by existing effluent guidelines, the SBFs are a new technology not addressed in the guidelines, and applying the existing regulations which were developed for water-based and oil-based drilling fluids is not appropriate. The use of SBFs presents an opportunity for environmental gain. On a drilling performance basis, SBFs replace oil-based drilling fluids, but unlike oil-based drilling fluids, SBFs are free of aromatic hydrocarbon priority pollutants, exhibit greatly reduced toxicity, biodegrade relatively rapidly, and do not bioaccumulate. Compared to water-based drilling fluids, SBFs have reduced aquatic toxicity and lower discharge volumes resulting in lower toxic metals discharge. To realize the potential environmental gain, new guidelines specific to the SBFs are necessary to minimize the wastestream volume and control potential contaminants, toxicity, biodegradation, and bioaccumulation.

Timetable:

Action	Date	FR Cite
NPRM	02/03/99	64 FR 5487
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal, State

Additional Information: SAN No. 4086

Sectors Affected: 21111 Oil and Gas Extraction

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RIN: 2040-AD14

3844. WATER QUALITY STANDARDS FOR ALABAMA—PHASE I

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1313 CWA 303

CFR Citation: 40 CFR 131

Legal Deadline: Final, Statutory, June 3, 1998, EPA is required to promulgate the rule 90 days after proposal.

Abstract: Under the CWA, States have primary authority in developing water quality standards for waters within their jurisdiction. EPA maintains oversight authority in that States must submit their water quality standards to EPA for review and approval or disapproval. If a State's water quality standards are not consistent with the requirements of the CWA and its supporting regulations, and are subsequently disapproved by EPA, the State must revise the disapproved water quality standards. If the State does not revise the disapproved water quality standards, the CWA authorizes the EPA Administrator to promulgate Federal water quality standards to supersede those disapproved provisions in the water quality standards.

On March 5, 1998, EPA proposed water quality standards applicable to nine stream segments to replace those provisions in Alabama's water quality standards that were disapproved in 1986 and in 1991. Specifically, EPA proposed use designations consistent with those specified in section 101(a) of the CWA to replace the State's assigned Agricultural and Industrial Water Supply use. The effect of the proposed standards is to replace the State-adopted water quality criteria, which protect only for fish survival, with water quality criteria based on protection of propagation of fish, aquatic life, and wildlife.

Timetable:

Action	Date	FR Cite
NPRM	03/05/98	63 FR 10799
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State

Additional Information: SAN No. 4195

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RIN: 2040-AD25

3845. AMEND THE FINAL WATER QUALITY GUIDANCE FOR THE GREAT LAKES SYSTEM TO PROHIBIT MIXING ZONES FOR BIOACCUMULATIVE CHEMICALS OF CONCERN

Priority: Other Significant

Legal Authority: 33 USC 1268 CWA 118

CFR Citation: 40 CFR 132

Legal Deadline: None

Abstract: EPA is promulgating an amendment to the final Water Quality Guidance for the Great Lakes System (Guidance) to prohibit mixing zones for bioaccumulative chemicals of concern (BCCs) in the Great Lakes System, subject to a limited exception for existing discharges. For existing discharges, the regulation, if promulgated as proposed, would prohibit mixing zones for BCCs after 10 years from the publication date of the final rule. New discharges of BCCs would be subject to the mixing zone prohibition immediately upon commencing discharge. EPA had promulgated this mixing zone provision on March 23, 1995, as part of the Water Quality Guidance for the Great Lakes System required by section 118(c)(2) of the Clean Water Act. The provision was vacated by the U.S. Court of Appeals for the District of Columbia Circuit in the case of American Iron & Steel Institute v. EPA, 115 F.3d 979 (D.C. Cir. 1997), and was remanded to the Agency for further consideration. This action reflects EPA's reconsideration of the factual record in response to that remand.

Timetable:

Action	Date	FR Cite
NPRM	10/04/99	64 FR 53632
Final Action	11/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal, State, Local, Tribal

EPA—Clean Water Act (CWA)

Final Rule Stage

Additional Information: SAN No. 4235

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RIN: 2040–AD32**3846. • PROMULGATION OF PROVISIONS IN THE FINAL WATER QUALITY GUIDANCE FOR THE GREAT LAKES SYSTEM FOR WATERS WITHIN THE GREAT LAKES BASIN****Priority:** Substantive, Nonsignificant**Legal Authority:** CWA 118; 33 USC 1268**CFR Citation:** 40 CFR 132**Legal Deadline:** Final, Statutory, March 23, 1997, See additional information. Final, Judicial, July 31, 2000.

Abstract: EPA published the final Water Quality Guidance for the Great Lakes System (40 CFR Part 132) on March 23, 1995. The Clean Water Act (CWA) requires the Great Lakes States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania and Wisconsin to adopt within two years of publication of the final Guidance (i.e., March 23, 1997) minimum water quality standards, antidegradation policies and implementation procedures that are consistent with the Guidance, and to submit them to EPA for review and approval. If a Great Lakes State fails to adopt provisions consistent with the final Guidance, EPA was required to publish a final rule by March 23, 1997, identifying the provisions of the final Guidance that will apply to waters and discharges within that jurisdiction.

All eight of the Great Lakes States have made complete submissions to EPA for review. EPA has completed its final review of submissions and identified provisions within their submissions that were determined to be inconsistent with the CWA and the final Guidance. EPA issued a letter to each of the States identifying the elements of the State's submission that would be disapproved and the provisions within the Guidance that EPA would promulgate if the State did not correct the inconsistencies identified within 90 days. Subsequently, EPA published a notice in the Federal Register making its letter available for public comment.

The Great Lakes States responded to EPA's letter correcting many of the provisions EPA had identified as inconsistent with the final Guidance. As required by section 118(c)(2) of the CWA, EPA is promulgating a limited number of provisions contained in the final Guidance that will apply to discharges to waters within the Great Lakes System for the States of Illinois, Indiana, Michigan, New York, Ohio and Wisconsin for those disapproved provisions of States' submissions that were not corrected as a result of EPA's letter. In addition, in the preamble to the regulations EPA will identify for the public those elements found in submissions made by the States that EPA has approved as being consistent with the final Guidance.

Timetable:

Action	Date	FR Cite
Final Action - Michigan, Ohio, Indiana, and Illinois	08/04/00	65 FR 47864
Final Action - New York	10/06/00	65 FR 59732
Final Action - Wisconsin	11/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal, State**Additional Information:** SAN No. 4422

Legal deadline continuation: EPA is required to publish a final rule in the Federal Register by March 23, 1997, for any Great Lake State that fails to adopt provisions consistent with the final Water Quality Guidance for the Great Lakes System (Guidance), which is codified at 40 CFR Part 132. On November 15, 1999, the Lake Michigan Federation and the National Wildlife Federation filed a compliant with the United States District Court for the District of Columbia to compel EPA to promulgate immediately provisions pursuant to the final Guidance for each Great Lakes State unless, in the interim, EPA approves a State submission as fully consistent with the Guidance. EPA is in the process of offering a consent decree schedule to the litigants that anticipates a publication date for this final action in September 2000.

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RIN: 2040–AD66**3847. TEST PROCEDURES FOR THE ANALYSIS OF MISCELLANEOUS METALS, ANIONS, AND VOLATILE ORGANICS UNDER THE CLEAN WATER ACT, PHASE ONE****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1314(h) CWA 304(h); 33 USC 1361(a) CWA 501(a)**CFR Citation:** 40 CFR 136**Legal Deadline:** None

Abstract: This regulatory action would amend the Guidelines Establishing Test Procedures for the Analysis of Pollutants under 40 CFR part 136 to approve new procedures for the analysis of miscellaneous metals, anions, and volatile organics under the Clean Water Act (CWA). These methods are used for implementing water quality based permits under the National Pollutant Discharge Elimination System (NPDES) of the CWA. This regulation would approve test procedures to be used in measuring this group of compounds under the NPDES Program unless the Regional Administrator approves an alternative procedure. EPA plans to segment the rulemaking into two phases to accommodate different amounts of data for the long list of compounds.

Timetable:

Action	Date	FR Cite
NPRM	10/18/95	60 FR 53988
Final Action	06/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** Federal, State, Local, Tribal**Additional Information:** SAN No. 3155

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RIN: 2040–AC95

EPA—Clean Water Act (CWA)

Final Rule Stage

3848. TEST PROCEDURES: CLEAN WATER ACT AND SAFE DRINKING WATER ACT METHODS UPDATE**Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1251 et seq; 33 USC 1314(h); 33 USC 1361(a); PL 92-500 76 Stat. 816; PL 95-217 91 Stat. 1567; PL 100-4 100 Stat. 7; 42 USC 300 g-1; 42 USC 300f(1)(A); 42 USC 300f(1)(D); 42 USC 300j-4; 42 USC 300j-9(a)**CFR Citation:** 40 CFR part 136; 40 CFR part 141; 40 CFR part 143**Legal Deadline:** None

Abstract: This regulatory action would amend the “Guidelines Establishing Test Procedures for the Analysis of Pollutants” under 40 CFR Part 136, National Primary Drinking Water Regulations under 40 CFR Part 141, and National Secondary Drinking Water Regulations under 40 CFR Part 143 to approve updated versions of analytical test procedures (methods) from voluntary consensus standards bodies and other organizations. These methods are used to comply with monitoring requirements in the wastewater and drinking water programs, as authorized under the Clean Water Act (CWA) and the Safe Drinking Water Act (SDWA). This regulation would approve updated versions of methods for determination of chemical, radiological, and microbiological pollutants in wastewater and drinking water. The updates are to methods from voluntary consensus standards bodies (the American Society for Testing and Materials and Standard Methods) and from the U.S. Geological Survey and the Department of Energy. Previously approved versions of the methods being updated remain approved. Because the changes should be noncontroversial, the amendments are being done through a direct final rule. A companion proposed rule will be published in case there are substantive adverse comments.

Timetable:

Action	Date	FR Cite
Direct Final Rule	11/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal, State, Local, Tribal**Additional Information:** SAN No. 4409**Agency Contact:** William A. Telliard, Environmental Protection Agency, Water, 4303, Washington, DC 20460
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RIN: 2040-AD59**3849. STREAMLINING THE GENERAL PRETREATMENT REGULATIONS FOR EXISTING AND NEW SOURCES OF POLLUTION****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 33 USC 1314 CWA sec 304; 33 USC 1317 CWA sec 307; 33 USC 1342 CWA sec 402; 33 USC 1361 CWA sec 501**CFR Citation:** 40 CFR 403**Legal Deadline:** None

Abstract: The final rule will be promulgated as a program streamlining activity. The rule will revise certain provisions in the General Pretreatment Regulations (40 CFR Part 403) that address restrictions on and oversight of industrial discharges into Publicly Owned Treatment Works (POTWs). The final rule will include exclusions or variable requirements for smaller facilities that contribute insignificant amounts of pollutants, clarify requirements for implementing Pretreatment Standards, and provide more flexible reporting, inspection and sampling requirements. The revisions should provide greater flexibility, reduce burden, and achieve improved environmental results at less cost for regulatory authorities and the regulated community.

Timetable:

Action	Date	FR Cite
NPRM	07/22/99	64 FR 39564
Final Action	03/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** Federal, State, Local, Tribal**Additional Information:** SAN No. 3663NPRM- <http://www.epa.gov/fedrgstr/EPA-WATER/1999/July/Day-22/w17773.htm>**Agency Contact:** Jeff Smith, Environmental Protection Agency, Water, 4203, Washington, DC 20460
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Patrick Bradley, Environmental Protection Agency, Water, 4203, Washington, DC 20460
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Abstract: This action would revise the testing provisions of the Clean Water Act section 404(b)(1) Guidelines to provide for comparisons between dredged material proposed for discharge and reference sediment. Reference sediment would be defined as sediment that reflects conditions at the disposal site had no dredged material disposal ever occurred there. Because the disposal site itself is currently used as the point of comparison, this action would make a technical improvement in assessing cumulative impacts and help make dredged material testing under section 404 more consistent with that conducted for ocean disposal, which currently employs a reference sediment approach. This action is not expected to have a significant impact on State, local, or tribal governments or small business, as the action will be limited to Corps projects and permit applications for which dredged material testing is necessary, and because the effect of the action will be limited to changing the location of an otherwise collected sample.

EPA—Clean Water Act (CWA)

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	01/04/95	60 FR 419
Final Action	02/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal**Additional Information:** SAN No. 3288

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RIN: 2040-AC14**3851. FURTHER REVISIONS TO CLEAN WATER ACT DEFINITION OF DISCHARGE OF DREDGED MATERIAL****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1344**CFR Citation:** 33 CFR 323.2(d); 40 CFR 232.2**Legal Deadline:** None

Abstract: This action involves joint rulemaking by EPA and the Department of the Army to clarify the regulatory definition of discharge of dredged material under the Clean Water Act Section 404. This action is being taken in follow-up to a final rule that was promulgated in May 1999 to comply with a court decision. The May 1999 rule clarified that incidental fallback is not regulated under the definition of discharge of dredged material. Further clarification of the definition of discharge of dredged material is now being undertaken in order to help ensure that the waters of the U.S., including wetlands, continue to receive the protection they need and to help reduce ambiguity for the regulated community and ensure consistent application of the regulatory definition.

Timetable:

Action	Date	FR Cite
NPRM	08/16/00	65 FR 50108
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** Federal, State**Additional Information:** SAN No. 4261

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RIN: 2040-AD41Environmental Protection Agency (EPA)
Clean Water Act (CWA)

Long-Term Actions

3852. REFORMATTING OF EFFLUENT GUIDELINES AND STANDARDS IN 40 CFR PARTS 401 THROUGH 471**Priority:** Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1311 CWA sec 301; 33 USC 1314 CWA sec 304; 33 USC 1316 CWA sec 306; 33 USC 1317 CWA sec 307; 33 USC 1318 CWA sec 308; 33 USC 1361 CWA sec 502; 33 USC 1342 CWA sec 402

CFR Citation: 40 CFR 405 to 471 (Revision)**Legal Deadline:** None

Abstract: This regulatory action will recodify the existing Effluent Limitations and Standards in 40 CFR parts 401 through 471, without making any changes in the requirements therein. The purpose of this action is to enable the Federal, State, and local regulators and the regulated community

to more easily read, understand and implement the regulations.

Timetable:

Action	Date	FR Cite
Direct Final Rule	11/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** SAN No. 3767

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RIN: 2040-AC79**3853. EFFLUENT GUIDELINES AND STANDARDS FOR THE PULP, PAPER, AND PAPERBOARD CATEGORY, PHASE II****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined

Legal Authority: 33 USC 1311 CWA 301; 33 USC 1314 CWA 304; 33 USC 1316 CWA 306; 33 USC 1317 CWA 307; 33 USC 1318 CWA 308; 33 USC 1318 CWA 402; 33 USC 1361 CWA 501

CFR Citation: 40 CFR 430**Legal Deadline:** None

Abstract: EPA will consider revising the technology-based effluent limitations guidelines and standards for 8 of the 12 subcategories for this industrial category: Unbleached Kraft; Semi-Chemical; Mechanical Pulp; Non-Wood Chemical Pulp; Secondary Fiber Deink; Secondary Fiber Non-Deink; Fine and Lightweight Papers from Purchased Pulp; and Tissue, Filter, Non-Woven, and Paperboard from Purchased Pulp. EPA proposed guidelines and standards for these subcategories as part of the Pulp and Paper Rules (also known as the Cluster Rules) in December 1993. The Agency intends to develop these revised effluent limitations in close coordination with the Office of Air Quality Planning and Standards.

EPA—Clean Water Act (CWA)

Long-Term Actions

Timetable:

Action	Date	FR Cite
NPRM	12/17/93	58 FR 66078
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** Federal, State, Local**Federalism:** Undetermined**Additional Information:** SAN No. 4050**Sectors Affected:** 3221 Pulp, Paper, and Paperboard Mills**Agency Contact:** Don Anderson, Environmental Protection Agency, Water, 4303, Washington, DC 20460
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Email: anderson.donaldf@epa.gov**RIN:** 2040—AD10**3854. EFFLUENT GUIDELINES AND STANDARDS FOR THE BLEACHED PAPERGRADE KRAFT SUBCATEGORY OF THE PULP, PAPER, AND PAPERBOARD CATEGORY; CERTIFICATION IN LIEU OF MONITORING FOR CHLOROFORM****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1311 CWA sec 301; 33 USC 1314 CWA sec 304; 33 USC 1316 CWA sec 306; 33 USC 1317 CWA sec 307; 33 USC 1342 CWA sec 402; 33 USC 1318 CWA sec 308; 33 USC 1361 CWA sec 501**CFR Citation:** 40 CFR 430**Legal Deadline:** None**Abstract:** This action is a follow-on to the already-promulgated Pulp and Paper Cluster Rules covering the Bleached Papergrade Kraft Subcategory (Subpart B). EPA is considering allowing Subpart B mills to certify process changes (specifically, elimination of elemental chlorine and hypochlorite) and operating conditions in lieu of minimum monitoring to demonstrate compliance with the effluent limitations for chloroform.**Timetable:**

Action	Date	FR Cite
NPRM	04/15/98	63 FR 18796
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal, State, Local**Additional Information:** SAN No. 4192NPRM-
<http://www.epa.gov/fedrgstr/EPA-WATER/1998/April/Day-15/w9615.htm>.**Sectors Affected:** 3221 Pulp, Paper, and Paperboard Mills**Agency Contact:** Don Anderson, Environmental Protection Agency, Water, 4303, Washington, DC 20460
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Email: anderson.donaldf@epa.gov**RIN:** 2040—AD23**3855. EFFLUENT GUIDELINES AND STANDARDS FOR THE COAL MINING POINT SOURCE CATEGORY (REVISIONS)****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1311 CWA sec 301; 33 USC 1314 CWA sec 304; 33 USC 1316 CWA sec 306; 33 USC 1317 CWA sec 307; 33 USC 1318 CWA sec 308; 33 USC 1342 CWA sec 402; 33 USC 1361 CWA sec 501**CFR Citation:** 40 CFR 434**Legal Deadline:** NPRM, Judicial, March 31, 2000.
Final, Judicial, December 31, 2001.**Abstract:** Coal mining discharges are covered by existing effluent guidelines at 40 CFR part 434. This new regulatory action will revise the existing regulations to address two new subcategories: Coal Remining and Western Alkaline Coal Mining. The existing regulations do not cover remining operations, which, when appropriately planned and regulated, will improve effluent quality from abandoned mine lands while reclaiming them and prevent disturbance of unexploited lands. Advances in treatment technologies and Best Management Practices pertinent to coal mines in the arid West show promise of being more protective of water quality.**Timetable:**

Action	Date	FR Cite
NPRM	04/11/00	65 FR 19440
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal, State, Local, Tribal**Additional Information:** SAN No. 4168**Sectors Affected:** 21211 Coal Mining**Agency Contact:** John Tinger, Environmental Protection Agency, Water, 4303, Washington, DC 20460
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Final, Judicial, March 31, 2004.

Abstract: The effluent guidelines will apply to construction activities associated with new development, as well as to those associated with redevelopment activities. The regulations will address storm water runoff from construction sites during the active phase of construction, as well as post-construction runoff. Construction activity is a major source of sediment and other pollutants discharged to the nation's waters. Industries potentially affected by this rulemaking include land developers, home builders, builders of commercial and industrial property, and other private and public sector construction site owners and operators. EPA will develop design criteria for erosion and sediment controls and storm water best management practices (BMPs). These requirements will be implemented in NPDES storm water permits issued to construction site owners and operators.**Timetable:**

Action	Date	FR Cite
NPRM	03/00/02	
Final Action	03/00/04	

Regulatory Flexibility Analysis**Required:** Undetermined

EPA—Clean Water Act (CWA)

Long-Term Actions

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal, State, Local, Tribal

Federalism: Undetermined

Additional Information: SAN No. 4280

Sectors Affected: 23 Construction

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RIN: 2040–AD42

3857. EFFLUENT GUIDELINES AND STANDARDS FOR THE DISSOLVING KRAFT AND DISSOLVING SULFITE SUBCATEGORIES OF THE PULP, PAPER, AND PAPERBOARD POINT SOURCE CATEGORY (PHASE III)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1311; 33 USC 1314; 33 USC 1316; 33 USC 1317; 33 USC 1318; 33 USC 1342; 33 USC 1361

CFR Citation: 40 CFR 430.10 to 430.18; 40 CFR 430.40 to 430.48

Legal Deadline: None

Abstract: On December 17, 1993, EPA proposed revised effluent limitations, guidelines and standards and best management practices regulations for the Dissolving Kraft and Dissolving Sulfite Subcategories of the Pulp, Paper, and Paperboard Point Source Category (40 CFR Part 430). This action, which OW refers to as Phase III of the Cluster Rules, will respond to comments and reflect new data. There are five domestic mills in these two subcategories. The final rule is anticipated to set limits for absorbable organic halides (AOX), chemical oxygen demand (COD), chloroform, dioxin, furan, and 12 specific chlorinated phenolics.

Timetable:

Action	Date	FR Cite
NPRM	12/17/93	58 FR 66078
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State

Additional Information: SAN No. 4370

Sectors Affected: 3221 Pulp, Paper, and Paperboard Mills

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RIN: 2040–AD49

3858. EFFLUENT GUIDELINES AND STANDARDS FOR THE AQUATIC ANIMAL PRODUCTION INDUSTRY

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: CWA Section 301; CWA Section 304; CWA Section 306; CWA Section 307; CWA Section 308; CWA Section 318; CWA Section 402; CWA Section 501

CFR Citation: Not Yet Determined

Legal Deadline: NPRM, Judicial, June 30, 2002.

Final, Judicial, June 30, 2004.

Abstract: EPA is focusing new efforts to help reduce nutrient loadings from commercial agricultural and industrial operations nationwide. Currently, there are no Federal technology-based standards for aquatic animal production facilities, which are part of the aquaculture industry. This action is a new effort to develop pollutant controls in the form of nationally applicable discharge standards for commercial and public aquaculture operations.

In assessments of surface water quality, states most frequently cite siltation, nutrients, and pathogens as the major cause of water quality impairment. With the growth of the aquaculture industry, and the inconsistent State regulatory oversight, EPA will examine available technologies for the control of pollutants, primarily nutrients. This action was formerly titled "Aquaculture."

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	
Final Action	06/00/04	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Additional Information: SAN No. 4406

Sectors Affected: 112511 Finfish Farming and Fish Hatcheries; 112512 Shellfish Farming

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RIN: 2040–AD55

3859. EFFLUENT GUIDELINES AND STANDARDS FOR THE MEAT PRODUCTS POINT SOURCE CATEGORY (REVISIONS)

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 33 USC 1311; 33 USC 1314; 33 USC 1316; 33 USC 1317; 33 USC 1318; 33 USC 1361

CFR Citation: 40 CFR 432 (Revision)

Legal Deadline: NPRM, Judicial, December 31, 2001.

Final, Judicial, December 31, 2003.

Abstract: The Agency is revising effluent limitations guidelines and standards for the Meat Products Point Source Category. The current regulations, at 40 CFR 432, are more than 20 years old and are limited to a few conventional pollutants. Recent concerns about nutrient discharges from these facilities might be resolved by additional effluent limitations. In particular, the current regulations do not address ammonia nitrogen for red meat slaughterhouses/packinghouses (Subparts A-D). Nutrients are a significant remaining water quality problem for impaired streams.

Revisions to the current regulations will also include effluent limitations for poultry processing, which is not

EPA—Clean Water Act (CWA)

Long-Term Actions

currently covered by any effluent guideline.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Federalism: Undetermined

Additional Information: SAN No. 4407

Sectors Affected: 311611 Animal (except Poultry) Slaughtering; 311612 Meat Processed from Carcasses; 311613 Rendering and Meat By-product Processing; 311615 Poultry Processing

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RIN: 2040–AD56

3860. EFFLUENT GUIDELINES AND STANDARDS FOR THE INDUSTRIAL CONTAINER AND DRUM CLEANING POINT SOURCE CATEGORY.

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 1311 et seq

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: Industrial facilities that clean out 55 gallon drums and other industrial sized containers are not currently subject to nationally applicable wastewater treatment standards. Many types of toxic and hazardous materials, including pesticides, solvents, and petrochemical products are transported in bulk via drums and containers. Most of these containers have a residue, or heel, present in the containers before they are cleaned. The accumulation of residue from large numbers of drums and containers may result in the discharge of pollutants to the Nation's waterways.

This regulation will cover those facilities that clean out drums and industrial sized containers as a business, and will generally not cover industrial facilities that clean out their own drums and containers used on site.

Timetable:

Action	Date	FR Cite
NPRM	01/00/02	
Final Rule	01/00/04	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Federalism: Undetermined

Additional Information: SAN No. 4408

Sectors Affected: 562998 All Other Miscellaneous Waste Management Services

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RIN: 2040–AD57

3861. WATER QUALITY STANDARDS FOR ALABAMA—PHASE II

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1313 CWA 303

CFR Citation: 40 CFR 131

Legal Deadline: None

Abstract: Under the CWA, States have primary authority in developing water quality standards for waters within their jurisdiction. EPA maintains oversight authority in that States must submit their water quality standards to EPA for review and approval or disapproval. If a State's water quality standards are not consistent with the requirements of the CWA and its supporting regulations, and are subsequently disapproved by EPA, the State must revise the disapproved water quality standards. If the State does not revise the disapproved water quality standards, the CWA authorizes the EPA Administrator to promulgate Federal water quality standards to supersede those disapproved provisions in the water quality standards. EPA is developing a proposed Federal rulemaking to determine the appropriate use designations for five

water bodies in Alabama subject to outstanding EPA disapprovals.

Timetable:

Action	Date	FR Cite
NPRM	01/00/02	
Final Action	06/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State

Additional Information: SAN No. 4264

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RIN: 2040–AD35

3862. TEST PROCEDURES FOR THE ANALYSIS OF TRACE METALS UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 33 USC 1314(h) CWA 304(h); 33 USC 1361(a) CWA 501

CFR Citation: 40 CFR 136

Legal Deadline: None

Abstract: This regulatory action would propose to amend the Guidelines Establishing Test Procedures for the Analysis of Pollutants under 40 CFR part 136 to approve new EPA methods for the determination of trace metals at EPA's water quality criteria levels. These methods are necessary for the implementation of water quality-based permits under the National Pollutant Discharge Elimination System (NPDES) of the Clean Water Act. Water quality-based permits are necessary when technology-based controls do not ensure that a particular water body would meet the State's designated water quality standard. Because the methods currently approved under 40 CFR part 136 were designed to support primarily technology-based permitting needs, and because these technology-based levels are as much as 280 times

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Long-Term Actions

higher than water quality-based criteria for metals, approval of new EPA test procedures is necessary.

Timetable:

Action	Date	FR Cite
NPRM	08/00/02	
Final Action	08/00/03	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, State, Local, Tribal

Federalism: Undetermined

Additional Information: SAN No. 3702

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RIN: 2040-AC75

3863. INCREASED METHOD FLEXIBILITY FOR TEST PROCEDURES APPROVED FOR CLEAN WATER ACT COMPLIANCE MONITORING

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1314(h) CWA 304 (h); 33 USC 1361(a) CWA 501 (a)

CFR Citation: 40 CFR 136

Legal Deadline: None

Abstract: This regulatory action would highlight the flexibility already contained in the 600 and 1600 series of EPA Methods that are currently approved for Clean Water Act compliance monitoring under 40 CFR part 136, Guidelines Establishing Test Procedures for the Analysis of Pollutants. These methods typically contain a statement that, in recognition of advances that are occurring in analytical technology, and to allow the analyst to overcome sample matrix interferences, the analyst is permitted certain options to improve separations or lower the costs of measurements. These options include alternate extraction, concentration, cleanup procedures, and changes in columns and detectors. The methods further require the analyst to demonstrate that the method modifications will not adversely affect the quality of data by generating quality control results that

meet the specifications contained in the method. Despite this stated flexibility, the Agency has found that many NPDES and pretreatment permitting authorities are not aware of this flexibility when issuing or enforcing NPDES and pretreatment permits. Therefore, this regulatory action will highlight the existing method flexibility and clarify EPA's position regarding its application. This action will also extend this flexibility to other methods currently approved under 40 CFR part 136. The purpose of extending this flexibility to other methods is to (1) increase consistency between methods, (2) provide for increased recognition of advances in analytical technology, and (3) reduce costs associated with analytical measurements.

Timetable:

Action	Date	FR Cite
Direct Final Rule	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 3714

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RIN: 2040-AC92

3864. PERFORMANCE-BASED MEASUREMENT SYSTEM (PBMS) PROCEDURES AND GUIDANCE FOR CLEAN WATER ACT TEST PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1314(h) CWA 304(h); 33 USC 1361(a) CWA 501(a)

CFR Citation: 40 CFR 136

Legal Deadline: None

Abstract: This regulatory action will establish the use of performance-based measurement procedures and guidance for use in Clean Water Act compliance monitoring under 40 CFR part 136, Guidelines Establishing Test Procedures for the Analysis of Pollutants. The new procedures would include guidance concerning the format, content, quality

assurance/quality control, and data validation requirements for use of test methods. This regulatory action would also describe increased program guidance in the form of a clearinghouse, technical bulletins, and/or guidance documents geared towards clarifying technical and policy issues associated with the use of test methods approved for use in the program.

Timetable:

Action	Date	FR Cite
NPRM	03/28/97	62 FR 14975
Final Action	09/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 3713

NPRM-http://www.epa.gov/fedgrstr/EPA-WATER/1997/March/Day-28/w7221.htm

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RIN: 2040-AC93

3865. TEST PROCEDURES FOR THE ANALYSIS OF CO-PLANAR AND MONO-ORTHO-SUBSTITUTED POLYCHLORINATED BIPHENYLS (PCBS) UNDER THE CLEAN WATER ACT

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 33 USC 1251 et seq CWA 304(h); 33 USC 1314(h) CWA 501(a); 33 USC 1361(a)

CFR Citation: 40 CFR 136; 40 CFR 503

Legal Deadline: None

Abstract: This regulatory action would propose to amend the Guidelines Establishing Test Procedures for the Analysis of Pollutants under 40 CFR parts 136 and 503 to approve EPA Method 1668 for the congener-specific determination of co-planar and mono-ortho-substituted polychlorinated biphenyls (PCBs) in effluent ambient

EPA—Clean Water Act (CWA)

Long-Term Actions

water and sludge. This method is necessary for the implementation of water quality-based permits under the National Pollutant Discharge Elimination System (NPDES) of the Clean Water Act. Water quality-based permits are necessary when technology-based controls do not ensure that a particular water body would meet the State's designated water quality standard. At present there is no EPA analytical method for determination of these PCBs at the levels of concern. Therefore, approval of a new EPA test procedure is necessary.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	
Final Action	06/00/03	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, State, Local, Tribal

Federalism: Undetermined

Additional Information: SAN No. 4049

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RIN: 2040-AD09

3866. TEST PROCEDURES FOR THE ANALYSIS OF MISCELLANEOUS METALS, ANIONS, AND VOLATILE ORGANICS UNDER THE CLEAN WATER ACT, PHASE TWO

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1314(h) CWA 304(h); 33 USC 1361(a) CWA 501(a)

CFR Citation: 40 CFR 136

Legal Deadline: None

Abstract: This regulatory action would amend the Guidelines Establishing Test Procedures for the Analysis of Pollutants under 40 CFR Part 136 to approve new procedures for the analysis of miscellaneous metals,

anions, and volatile organics under the Clean Water Act (CWA). These methods are used for implementing water quality based permits under the National Pollutant Discharge Elimination System (NPDES) of the CWA. This regulation would approve test procedures to be used in measuring this group of compounds under the NPDES unless the Regional Administrator approves an alternative procedure. This rulemaking would constitute the second of two segments of rulemaking initially proposed as one action.

Timetable:

Action	Date	FR Cite
NPRM	10/18/95	60 FR 53988
Final Action	06/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 4089

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RIN: 2040-AD12

3867. TEST PROCEDURES FOR THE ANALYSIS OF MERCURY UNDER THE CLEAN WATER ACT (METHOD 245.7)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1251 et seq; 33 USC 1314(h); 33 USC 1361(a); PL 92-500 76 Stat. 816; PL 95-217 91 Stat. 1567; PL 100-4 100 Stat. 7

CFR Citation: 40 CFR 136.3(IB)

Legal Deadline: None

Abstract: This regulatory action would propose to amend the "Guidelines Establishing Test Procedures for the Analysis of Pollutants" under 40 CFR Part 136 to approve a new analytical test procedure (method) for the determination of mercury in the wastewater program as authorized under the Clean Water Act (CWA). This new test procedure is capable of measuring mercury at low parts-per-trillion (ppt; ng/L) concentrations and would be an alternative to the recently

promulgated Method 1631, which also determines mercury at low ppt concentrations.

Method 245.7 uses similar technology to Method 1631 (cold vapor atomic fluorescence spectrometry), but it does not require the use of a gold trap. Laboratories claim that Method 245.7 is a less burdensome and more cost-effective method than Method 1631.

Timetable:

Action	Date	FR Cite
NPRM	09/00/02	
Final Action	09/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 4377

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RIN: 2040-AD52

3868. REVISIONS TO METHOD DETECTION AND QUANTIFICATION FOR USE UNDER THE CLEAN WATER ACT AND SAFE DRINKING WATER ACT

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1251 et seq; 33 USC 1314(h); 33 USC 1361(a); 42 USC 300f

CFR Citation: 40 CFR 136(b)

Legal Deadline: None

Abstract: This regulatory action would propose to amend the "Guidelines Establishing Test Procedures for the Analysis of Pollutants" under 40 CFR Part 136 to approve revisions to the detection and quantification procedures currently used by EPA for those analytes regulated in the wastewater program as authorized under the Clean Water Act (CWA) and in the drinking water program under the Safe Drinking Water Act (SDWA). The current method detection limit (MDL) procedure is set

EPA—Clean Water Act (CWA)

Long-Term Actions

forth at 40 CFR part 136, Appendix B. EPA's Office of Water has not promulgated a procedure for quantification but it uses the minimum level of quantitation (ML) in its wastewater program and the practical quantitation level (PQL) in its drinking water program. The ML is defined in analytical methods and is generally set at 3.18 times the MDL. The PQL is generally set at five to ten times the MDL. The Office of Water has been working to revise and refine these concepts in response to the need to regulate pollutants at low levels (often levels that are lower than measurement capabilities will allow) and to address other potential approaches to detection and quantification, including concepts being introduced by outside organizations such as voluntary consensus standards bodies (VCSBs). The rulemaking would also address criticisms to the current MDL and quantification approaches which have been raised by outside organizations. Additionally, EPA will consider whether other approaches from VCSBs are acceptable for EPA's regulatory needs.

Timetable:

Action	Date	FR Cite
NPRM	02/00/03	
Final Action	09/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal, State, Local, Tribal**Additional Information:** SAN No. 4378

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RIN: 2040-AD53**3869. UNIFORM NATIONAL DISCHARGE STANDARDS FOR VESSELS OF THE ARMED FORCES - PHASE II****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1322; 33 USC 1361**CFR Citation:** 40 CFR 1700**Legal Deadline:** Final, Statutory, May 10, 2001.

Abstract: This action is phase II of implementing regulations on Uniform National Discharge Standards for Vessels of the Armed Forces. In 1996 the Clean Water Act was amended to create section 312(n), "Uniform National Discharge Standards for Vessels of the Armed Forces." Section 312(n) directs EPA and DOD to work together to provide Armed Forces vessels with a nationally uniform set of discharge standards, which preempt State discharge standards for these vessels. The purpose of the statute is to allow DOD to plan, design and build environmentally sound vessels, to encourage innovative pollution control technology, and to improve operational flexibility. EPA and DOD jointly promulgated Phase I of these regulations, 40 CFR part 1700, on May 10, 1999 (64 FR 25126). The Phase I rulemaking concluded that 25 discharges from Armed Forces vessels would require control devices. Some of these discharges have the potential to introduce oil or other organics into receiving waters (such as bilge water); some have the potential to introduce copper or other metals (such as fire main); and some have the potential to introduce nonindigenous invasive aquatic species (such as ballast water). Phase II will establish performance standards for control devices for these 25 discharges. Once DOD implements rules for achieving the standards set in phase II, covered discharges from Armed Forces vessels will be required to meet these standards, and will not be subject to discharge standards established by States.

Timetable:

Action	Date	FR Cite
NPRM	03/00/02	
Final Action	04/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Federalism:** Undetermined**Additional Information:** SAN No. 4357

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RIN: 2040-AD39**3870. MINIMIZING ADVERSE ENVIRONMENTAL IMPACT FROM COOLING WATER INTAKE STRUCTURES AT NEW FACILITIES UNDER SECTION 316(B) OF THE CLEAN WATER ACT****Priority:** Other Significant**Legal Authority:** 33 USC 1311 CWA sec 301; 33 USC 1316 CWA sec 306; 33 USC 1326 CWA sec 316; 33 USC 1361 CWA sec 501**CFR Citation:** 40 CFR 9, 122, 123, 124 and 125**Legal Deadline:** NPRM, Judicial, July 20, 2000, See additional information.

Abstract: This rulemaking applies to the intake of water by new facilities that use cooling water intake structures. Section 316(b) of the Clean Water Act provides that any standard established pursuant to sections 301 or 306 of the Clean Water Act and applicable to a point source shall require that the location, design, construction, and capacity of cooling water intake structures reflect the best technology available for minimizing adverse environmental impact. A primary purpose of this action is to minimize the impingement and entrainment of fish and other aquatic organisms by cooling water intake structures. Impingement refers to trapping fish and other aquatic life against cooling water intake screens. Entrainment occurs when aquatic organisms, eggs and larvae are drawn into the cooling system through the heat exchanger, and then pumped back out, often with significant injury or mortality to the entrained organisms.

Timetable:

Action	Date	FR Cite
NPRM	08/10/00	65 FR 49059
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses, Governmental Jurisdictions

EPA—Clean Water Act (CWA)

Long-Term Actions

Government Levels Affected: Federal, State, Local

Additional Information: SAN No. 3444

Continued Deadline information:
Deadline for final action is subject of settlement discussions.

Sectors Affected: 322121 Paper (except Newsprint) Mills; 32213 Paperboard Mills; 32411 Petroleum Refineries; 325311 Nitrogenous Fertilizer Manufacturing; 325199 All Other Basic Organic Chemical Manufacturing; 331111 Iron and Steel Mills; 331221 Cold-Rolled Steel Shape Manufacturing; 331222 Steel Wire Drawing; 33121 Iron and Steel Pipes and Tubes Manufacturing from Purchased Steel; 331315 Aluminum Sheet, Plate and Foil Manufacturing; 331521 Aluminum Die-Castings; 331524 Aluminum Foundries; 331525 Copper Foundries

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RIN: 2040-AC34

3871. REVISION OF NPDES INDUSTRIAL PERMIT APPLICATION REQUIREMENTS AND FORM 2C—WASTEWATER DISCHARGE INFORMATION

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1311 CWA 301; 33 USC 1314 CWA 304; 33 USC 1342 CWA 402; 33 USC 1361 CWA 501

CFR Citation: 40 CFR 122.21(e)

Legal Deadline: None

Abstract: All existing manufacturing, commercial, mining, and silvicultural operations requiring a National Pollutant Discharge Elimination System

(NPDES) permit must submit an application in order to obtain a permit. The existing industrial application form has not been revised since 1984 and needs to be updated to reflect statutory and related regulatory changes in the NPDES and water quality standards program. The purpose of this action would be to revise and consolidate existing application forms and requirements for industries, and to streamline the permit application process for these facilities. The Agency seeks to establish a unified process that minimizes the need for additional information from applicants while providing permit writers the necessary information, including toxics data, to ensure that permits adequately address concerns of permittees and environmental protection. The Agency will seek to allow the use of existing data to the extent possible and to avoid unnecessary reporting. The Agency is also considering how to utilize electronic data submission. Although these forms will increase the burden on permittees not already required to provide these data, many other permittees are already required to submit the data. The Agency is reviewing ways to minimize the need for information from small dischargers, including tribal facilities. EPA will also seek to minimize and reduce the burden on States through improvements to the application forms.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Federal, State, Local, Tribal

Federalism: Undetermined

Additional Information: SAN No. 3234

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RIN: 2040-AC26

3872. REVISION TO CLEAN WATER ACT REGULATORY DEFINITION OF "FILL MATERIAL"

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1344

CFR Citation: 33 CFR 323.2(e); 40 CFR 232.2

Legal Deadline: None

Abstract: Section 404 of the Clean Water Act requires a permit from the US Army Corps of Engineers (Corps) for discharges of dredged or fill material to navigable waters of the US. The Environmental Protection Agency (EPA) and Corps' regulations implementing section 404 currently contain differing definitions of the term "fill material." In particular, the Corps regulations define fill material as being used "for the primary purpose of " replacing an aquatic area with dry land or changing the bottom elevation of a water body. In contrast, EPA's definition of fill material looks to whether the effect is to replace waters of the US with dry land or change the bottom elevation of water bodies, and does not contain a "primary purpose" test as found in the Corps regulations. In order to clarify what constitutes "fill material" for purposes of section 404 and provide improved regulatory certainty, the Corps and EPA are conducting notice and comment rulemaking to achieve greater consistency between the two agencies' definitions of "fill material."

Timetable:

Action	Date	FR Cite
NPRM	04/20/00	65 FR 21292
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal, State

Additional Information: SAN No. 4375

This rulemaking is primarily a Corps of Engineers action and they have lead responsibility.

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EPA—Clean Water Act (CWA)

Long-Term Actions

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 RIN: 2040-AD51

3873. ROUND 2 STANDARDS FOR THE USE OR DISPOSAL OF SEWAGE SLUDGE

Priority: Other Significant

Legal Authority: 33 USC 1345 CWA sec 405; 33 USC 1361(a) CWA sec 501(a)

CFR Citation: 40 CFR 503 (Revisions)

Legal Deadline: NPRM, Judicial, December 15, 1999.
 Final, Judicial, December 15, 2001.

Abstract: Section 405 of the Clean Water Act (CWA) requires EPA to promulgate regulations providing guidelines for the use and disposal of sewage sludge. The rules, among other things, are to identify uses for sewage sludge, including disposal, and concentrations of pollutants which interfere with such use or disposal. The statute establishes a schedule for EPA to identify and regulate toxic pollutants in sewage sludge in two rounds: first with respect to those toxic pollutants for which information is available and subsequently, with respect to those toxic pollutants in sewage sludge not regulated in the first round which may adversely affect public health and the environment. The regulations must specify management practices, including numeric limits, for each such pollutant, for each use or disposal practice. EPA published the first round of sewage sludge regulations, pursuant to a court ordered schedule, in February 1993 (58 FR 9247) and

proposed round two regulations in December 1999. EPA's round two proposal identified dioxins, dibenzofurans and coplanar polychlorinated biphenyls as the additional toxic pollutants in sewage sludge to be regulated for sewage sludge that is to be applied to the land. The consent decree requires EPA to take final action on proposed round two regulations by December 15, 2001.

Timetable:

Action	Date	FR Cite
NPRM	12/23/99	64 FR 72045
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 3488

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 RIN: 2040-AC25

3874. ROUND I SEWAGE SLUDGE USE OR DISPOSAL RULE — PHASE TWO AMENDMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1345 CWA sec 405; 33 USC 1361 CWA sec 501(a)

CFR Citation: 40 CFR 503 (Revision)

Legal Deadline: None

Abstract: EPA is amending the Round I Final Sewage Sludge Use or Disposal Regulation in two phases. Phase Two will address issues presented by judicial remand of specific requirements in the final Round 1 rule (part 503) and requests for reconsideration and will modify certain technical requirements. The proposed changes will impact Federal, State, local and tribal governments, as well as small businesses and small governmental jurisdictions. EPA expects that these changes will increase flexibility and thus reduce the regulatory burden.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 4207

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 RIN: 2040-AC53

Environmental Protection Agency (EPA) Clean Water Act (CWA)

Completed Actions

3875. EFFLUENT GUIDELINES AND STANDARDS FOR THE TRANSPORTATION EQUIPMENT CLEANING CATEGORY

Priority: Other Significant

CFR Citation: 40 CFR 442

Completed:

Reason	Date	FR Cite
Final Action	08/14/00	65 FR 49665

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal, State, Local

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 RIN: 2040-AB98

3876. EFFLUENT LIMITATIONS GUIDELINES AND STANDARDS FOR THE FEEDLOTS POINT SOURCE CATEGORY, DAIRY AND BEEF CATTLE SUBCATEGORIES

Priority: Economically Significant

CFR Citation: 40 CFR 412

Completed:

Reason	Date	FR Cite
Merged With RIN 2040-AD19	10/20/00	

EPA—Clean Water Act (CWA)

Completed Actions

Regulatory Flexibility Analysis**Required:** Yes**Government Levels Affected:** Federal, State, Tribal**Agency Contact:** Ron Jordan

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RIN: 2040-AD21**3877. 2000 EFFLUENT GUIDELINES PROGRAM PLAN****Priority:** Substantive, Nonsignificant**CFR Citation:** None**Completed:**

Reason	Date	FR Cite
Proposed Plan	06/16/00	65 FR 37783
Final Plan	08/31/00	65 FR 53008

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Jim Lund

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RIN: 2040-AD47**3878. ESTABLISHMENT OF NUMERIC CRITERIA FOR PRIORITY TOXIC POLLUTANTS FOR THE STATE OF CALIFORNIA****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 131**Completed:**

Reason	Date	FR Cite
Final Action	05/18/00	65 FR 31681

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal, State**Agency Contact:** William Morrow

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RIN: 2040-AC44**3879. WATER QUALITY STANDARDS: ESTABLISHMENT OF NUMERIC CRITERIA FOR PRIORITY TOXIC POLLUTANTS; STATES' COMPLIANCE****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 131**Completed:**

Reason	Date	FR Cite
Withdrawn - No Further Action Planned	10/19/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal, State**Agency Contact:** Cindy Roberts

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RIN: 2040-AC55**3880. SELENIUM CRITERION MAXIMUM CONCENTRATION FOR WATER QUALITY GUIDANCE FOR THE GREAT LAKES SYSTEM****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 132**Completed:**

Reason	Date	FR Cite
Final Action	06/02/00	65 FR 35283

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal, State, Tribal**Agency Contact:** Mark Morris

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RIN: 2040-AC97**3881. EPA REVIEW AND APPROVAL OF STATE AND TRIBAL WATER QUALITY STANDARDS****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 131.21(c)**Completed:**

Reason	Date	FR Cite
Final Action	04/27/00	65 FR 24641

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal, State, Tribal**Agency Contact:** William Morrow

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RIN: 2040-AD33**3882. WHOLE EFFLUENT TOXICITY WEST COAST TEST PROCEDURES FOR THE ANALYSIS OF POLLUTANTS UNDER THE CLEAN WATER ACT****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 136**Completed:**

Reason	Date	FR Cite
Withdrawn - Agency Plans No Further Action	08/31/00	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Federal, State, Local, Tribal**Agency Contact:** William A. Telliard

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RIN: 2040-AC54**3883. NPDES STREAMLINING RULE — ROUND II****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 122; 40 CFR 123; 40 CFR 124; 40 CFR 125; 40 CFR 22; 40 CFR 117; 40 CFR 125; 40 CFR 144; 40 CFR 270; 40 CFR 271**Completed:**

Reason	Date	FR Cite
Final Action	05/15/00	65 FR 30886

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal, State, Local, Tribal**Agency Contact:** Howard Rubin

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RIN: 2040-AC70**3884. ESTABLISHMENT OF ELECTRONIC REPORTING FOR NPDES PERMITTEES****Priority:** Substantive, Nonsignificant**CFR Citation:** 40 CFR 122.63; 40 CFR 122.74; 40 CFR 122.76(a-i); 40 CFR

EPA—Clean Water Act (CWA)

Completed Actions

122.76(k); 40 CFR 122.77-123.25; 40 CFR 403.12(q); 40 CFR 503.18; 40 CFR 503.28; 40 CFR 503.48

Completed:

Reason	Date	FR Cite
Withdrawn - No Further Action Planned	10/20/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal, State, Local, Tribal

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RIN: 2040-AD11

3885. TOTAL MAXIMUM DAILY LOAD (TMDL) PROGRAM REGULATIONS AND SUPPORTING NPDES REVISIONS

Priority: Other Significant. Major under 5 USC 801.

CFR Citation: 40 CFR 9, 122, 123, 124 and 130

Completed:

Reason	Date	FR Cite
Final Action	07/13/00	65 FR 43586

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal, State, Tribal

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RIN: 2040-AD22

3886. TOTAL MAXIMUM DAILY LOAD (TMDL) - NPDES AND WQS REGULATIONS REVISIONS

Priority: Other Significant

CFR Citation: 40 CFR 9, 122, 123, 124 and 130

Completed:

Reason	Date	FR Cite
Merged With RIN 2040-AD22	10/20/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal, State, Tribal

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RIN: 2040-AD36

Environmental Protection Agency (EPA)

Prerule Stage

Safe Drinking Water Act (SDWA)

3887. USE OF SCREENING PROCEDURES FOR COMPLIANCE MONITORING OF DRINKING WATER CONTAMINANTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 300(f) SDWA 1401; 42 USC 300(g)(1) SDWA 1412; 42 USC 300(j)(4) SDWA 1445

CFR Citation: 40 CFR 141; 40 CFR 143

Legal Deadline: None

Abstract: The 1996 Safe Drinking Water Act (SDWA) Amendments require EPA to review new analytical methods that may be used for regulated contaminants screening or analysis, including screening methods. After this review, EPA may approve such methods that are deemed more accurate or cost-effective than established reference methods for use in compliance monitoring or the monitoring of unregulated contaminants. In this advanced notice of proposed rulemaking, EPA announces its intention to integrate the use of screening methods in the overall scheme of drinking water compliance monitoring. Efforts will be made to keep the proposal consistent with the Office of Water plan for Performance Based Methods (PBMS). EPA will

identify regulated contaminants, types of monitoring and specific areas within each monitoring framework which are amenable to the use of screening methods. A logical application of screening procedures would be in a tiered monitoring mode where Tier 1 (screening phase) would identify the principal problem areas while Tier 2 would use sampling and analysis to more carefully identify and quantify specific contaminants. EPA would identify specific screening methods which are available for use based on their performance characteristics, tolerance to sample interferences, validation for drinking water analysis and correlation of results with traditional instrumental methods. The use of screening methods is expected to make drinking water compliance monitoring cheaper and faster, and provide flexibility to the Public Water Systems in the choice of analytical methods. Laboratory acceptance limits and other method performance requirements that were specified under previous rules will not be changed in this rulemaking. The final action would only add new analytical methods and/or analytical approaches and would not withdraw or modify previously approved methods.

Timetable:

Action	Date	FR Cite
ANPRM	12/00/00	
NPRM	10/00/01	
Final Action	10/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, State, Local, Tribal

Federalism: Undetermined

Additional Information: SAN No. 4212

Sectors Affected: 22131 Water Supply and Irrigation Systems

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RIN: 2040-AD31

EPA—Safe Drinking Water Act (SDWA)

Prerule Stage

3888. • DRINKING WATER: REGULATORY DETERMINATIONS REGARDING CONTAMINANTS ON THE DRINKING WATER CONTAMINANT CANDIDATE LIST**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 300(f) et seq**CFR Citation:** Not Yet Determined**Legal Deadline:** Other, Statutory, August 6, 2001, Final Regulatory Determination.

Abstract: The 1996 amendments to the Safe Drinking Water Act (SDWA) requires EPA to publish a list of non-regulated contaminants every five years, which may warrant regulation due to their health effects and their potential for occurrence in public water systems (PWSs). The first list, called the Contaminant Candidate List (CCL), was published in the Federal Register on March 2, 1998 (63 FR 10274). When establishing the 1998 CCL, EPA divided the contaminants among three main categories: 1) contaminants which are priorities for additional research; 2) contaminants which need additional occurrence data; and 3) contaminants which are priorities for consideration for rulemaking. These contaminants are collectively referred to as the Regulatory Determination Priority contaminants.

In addition to publishing the drinking water CCL, the SDWA also requires the Agency to select five or more contaminants from the CCL and determine, by August 2001, whether to regulate these contaminants with a National Primary Drinking Water Regulation (NPDWR). The Regulatory Determination Priority category is the list of contaminants from which the Agency will determine whether or not regulations are necessary. There are currently 12 contaminants on the 1998 CCL that have been characterized as having sufficient scientific information to make regulatory determinations by August 2001: Acanthamoeba; Aldrin; Boron; 1,3-dichloropropene; Dieldrin; Hexachlorobutadiene; Manganese; Metolachlor; Metribuzin; Napthalene; Sodium; and Sulfate.

In order make a decision whether or not to develop a NPDWR for a contaminant, the SDWA requires three statutory tests be met: (1) the contaminant may have an adverse effect on the health of persons; (2) the contaminant is known to occur or there is a substantial likelihood that the

contaminant will occur in public water systems with a frequency and at levels of public health concern; and (3) in the sole judgment of the Administrator, regulation of the contaminant presents a meaningful opportunity for health risk reduction for persons served by public water systems.

Using these three statutory tests to make regulatory decisions, there are three possible outcomes: (1) regulate the contaminant with a NPDWR; (2) develop guidance (e.g., Health or Consumer Advisory); or (3) determine no regulatory action is necessary.

Once a regulatory decision is made, the contaminant is removed from the CCL.

Timetable:

Action	Date	FR Cite
ANPRM	01/00/01	
Notice of Final Regulatory Determinations	09/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** SAN No. 4447

SDWA requires a final determination of whether or not NPDWR(s) are necessary for no less than 5 contaminants on the CCL.

Sectors Affected: 22131 Water Supply and Irrigation Systems

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RIN: 2040-AD61**3889. • 6-YEAR REVIEW OF EXISTING NATIONAL PRIMARY DRINKING WATER REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 300f et seq**CFR Citation:** 40 CFR 141; 40 CFR 142

Legal Deadline: Other, Statutory, August 6, 2000, Complete review for contaminants with NPDWRs promulgated prior to August 1996.

Abstract: The Safe Drinking Water Act (SDWA) requires EPA to review and revise, if appropriate, all National Primary Drinking Water Regulations (NPDWRs) no less frequently than once

every six years. According to SDWA, any revisions of drinking water regulations must maintain, or increase, the level of public health protection provided; however, EPA may identify regulatory changes that will streamline or reduce existing requirements without lessening the level of public health protection. As a part of this action, EPA will do two things: (1) develop an overall protocol for conducting each six year review; and (2) review the chemical contaminants (with the exception of arsenic which is being revised and atrazine and copper which are being reviewed on accelerated schedules). No new requirements will be imposed by this action. The purpose of the review is to determine whether new data, technology, or other factors exist that justify revisions to existing NPDWRs. The outcome of each review will be a Federal Register notice making available the results of the Agency's review and a rulemaking schedule for the regulations the Agency intends to revise. EPA may decide that any of the following need to be revised: maximum contaminant level goals, maximum contaminant levels, analytical methods, monitoring, treatment, recordkeeping and reporting requirements. EPA plans extensive stakeholder outreach and consultation in the development of the protocol and throughout the review process.

Timetable:

Action	Date	FR Cite
ANPRM	08/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined**Additional Information:** SAN No. 4424**Sectors Affected:** 22131 Water Supply and Irrigation Systems

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RIN: 2040-AD67

Environmental Protection Agency (EPA)
Safe Drinking Water Act (SDWA)**Proposed Rule Stage****3890. NATIONAL PRIMARY DRINKING WATER REGULATIONS: ALDICARB**

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 300(f) SDWA sec 1412

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline: None

Abstract: EPA promulgated MCLs for aldicarb, aldicarb sulfoxide, and aldicarb sulfone in the Phase II rulemaking in 1991 at levels of 0.003, 0.004, and 0.002 ug/l respectively. In response to an administrative petition from the manufacturer Rhone-Poulenc, the Agency issued an administrative stay of the effective date. EPA will reexamine risk assessment and occurrence data on aldicarb. EPA will then make a determination of what further action is appropriate.

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	
Final Rule	08/00/02	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, State, Local, Tribal

Federalism: Undetermined

Additional Information: SAN No. 3238

Sectors Affected: 22131 Water Supply and Irrigation Systems

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RIN: 2040-AC13

3891. NATIONAL PRIMARY DRINKING WATER REGULATIONS: LONG-TERM 2 ENHANCED SURFACE WATER TREATMENT RULE

Regulatory Plan: This entry is Seq. No. 127 in Part II of this issue of the Federal Register.

RIN: 2040-AD37

3892. NATIONAL PRIMARY DRINKING WATER REGULATIONS: STAGE 2 DISINFECTANTS/DISINFECTION BYPRODUCTS RULE

Regulatory Plan: This entry is Seq. No. 128 in Part II of this issue of the Federal Register.

RIN: 2040-AD38

3893. REGULATED DRINKING WATER CONTAMINANT OCCURRENCE REPORTING

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 300f; 42 USC 300g-1 to 42 USC 300g-6; 42 USC 300j-4; 42 USC 300j-9; 42 USC 300j-11

CFR Citation: 40 CFR 142.15

Legal Deadline: None

Abstract: The Office of Water will revise the National Primary Drinking Water Regulations to require public water systems and States to report regulated drinking water contaminant occurrence level data to EPA. At present, States only report violation data for the purpose of compliance tracking, as concentrations that exceed the Maximum Contaminant Level. The data will be compared to health effects levels and used to compare occurrence frequency with monitoring requirements. The results of these analysis may be used to modify existing regulations during the statutory required 6 year regulatory review cycle.

Timetable:

Action	Date	FR Cite
NPRM	07/00/01	
Final Action	11/00/02	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, State, Local, Tribal

Federalism: Undetermined

Additional Information: SAN No. 4369

Sectors Affected: 22131 Water Supply and Irrigation Systems

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RIN: 2040-AD48

3894. NATIONAL SECONDARY DRINKING WATER REGULATIONS: METHYL TERTIARY BUTYL ETHER (MTBE)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 300f et seq

CFR Citation: 40 CFR 143 (Revision)

Legal Deadline: None

Abstract: Methyl Tertiary Butyl Ether (MTBE) is an automobile fuel additive, introduced in the late 1970s during lead phase-out as an octane enhancer. It has been used in increasing quantity in the 1990s to meet the requirements of the federal Reformulated Gasoline (RFG) and Oxyfuels programs required by the Clean Air Act Amendments of 1990. However, MTBE has been detected in groundwater and drinking water in a number of States due to leaking underground storage tanks and leaking pipelines. Although most of these detections are at levels well below health concern, MTBE's distinctive turpentine-like taste and odor can be detected at low levels. This provides a challenge to water suppliers, because contaminated drinking water can be unacceptable to the public. In this action, EPA is proposing a secondary standard for MTBE, which will provide control levels for taste and odor acceptability and protect the public welfare.

EPA is developing a secondary standard because we currently do not have enough information to meet SDWA's requirements for promulgating a primary health-based standard.

Timetable:

Action	Date	FR Cite
NPRM	01/00/01	
Final Action	05/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 4404

Sectors Affected: 22131 Water Supply and Irrigation Systems

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EPA—Safe Drinking Water Act (SDWA)

Proposed Rule Stage

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RIN: 2040–AD54

3895. • UNDERGROUND INJECTION CONTROL CLASS V PHASE 2 REVISIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 300(h); SDWA sec 1421 to 1425

CFR Citation: 40 CFR 144 to 147

Legal Deadline: NPRM, Judicial, April 30, 2001.

Final, Judicial, May 31, 2002.

Abstract: The Safe Drinking Water Act (SDWA) requires EPA to protect current and future underground sources of drinking water (USDWs) from the endangerment posed by Class V underground injection control (UIC) wells. Class V UIC wells are typically shallow waste disposal systems that are diverse in purpose, design, geographic distribution, the nature of the fluids injected, and endangerment potential. In accordance with the judicial deadlines in a consent agreement, EPA finalized specific regulations addressing two types of high-risk UIC Class V

injection wells (motor vehicle waste disposal wells and large-capacity cesspools) in December 1999. That regulatory action is informally referred to as the UIC Class V Phase 1 Rule. Also, in accordance with the consent agreement, EPA must evaluate all other Class V well types and determine if additional specific requirements are necessary to protect USDWs and if so, finalize the appropriate requirements. The upcoming regulatory action is referred to as the UIC Class V Phase 2 Rulemaking. The UIC Class V Phase 2 Rulemaking will address approximately 20 types of Class V injection wells. Examples of wells to be addressed in the UIC Class V Phase 2 rulemaking include, storm water drainage wells, large capacity septic systems, agricultural drainage wells, and industrial waste disposal wells. EPA is currently determining the risks these wells pose to USDWs and reviewing options to address these risks. Options under consideration range broadly, and include both traditional and nontraditional management approaches. The Agency has already published two proposed rulemakings relating to Class V injection wells—one in August 1995 and another in December 1998.

Depending on the final approach selected to address the risks posed by the Class V Phase 2 wells, it may be possible to advance an option presented in one of those proposals and finalize a UIC Class V Phase 2 Rule without publishing a third proposal.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	
Final Rule	06/00/02	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Additional Information: SAN No. 4451

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RIN: 2040–AD63

Environmental Protection Agency (EPA)

Final Rule Stage

Safe Drinking Water Act (SDWA)

3896. UNREGULATED CONTAMINANT MONITORING RULE - LIST 2

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 300f; 42 USC 300g-1 to 300g-6; 42 USC 300j-4; 42 USC 300j-9; 42 USC 300j-11

CFR Citation: 40 CFR 141.40

Legal Deadline: None

Abstract: The Office of Water will revise the National Primary Drinking Water Regulations for Unregulated Contaminant Monitoring to require monitoring for List 2 contaminants for which analytical methods and sampling locations must be specified. Promulgation of these methods and sampling locations will allow the unregulated contaminants on List 2 of the Unregulated Contaminant Monitoring Regulation (1999) List to be monitored beginning January 2001, along with monitoring for List 1 contaminants. Monitoring will be

conducted at approximately 300 randomly selected public water systems, quarterly for one year beginning in 2001. Contaminants on List 2 include: 1,2-diphenylhydrazine; 2-methyl-phenol; 2,4-dichlorophenol; 2,4-dinitrophenol; 2,4,6-trichlorophenol; Alachlor ESA; Diazinon; Disulfoton; Diuron; Fonofos; Linuron; Polonium-210; Prometon; Terbufos; RDX; and Aeromonas (a microbiological contaminant). Methods are currently being developed for these contaminants. If a method is not ready at the time this rule is promulgated, the contaminant may be monitored at a later date when its method is available.

Timetable:

Action	Date	FR Cite
NPRM	09/13/00	65 FR 55362
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 4373

Sectors Affected: 22131 Water Supply and Irrigation Systems

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RIN: 2040–AD58

EPA—Safe Drinking Water Act (SDWA)

Final Rule Stage

3897. NATIONAL PRIMARY DRINKING WATER REGULATIONS: RADON

Regulatory Plan: This entry is Seq. No. 143 in Part II of this issue of the *Federal Register*.

RIN: 2040-AA94

3898. NATIONAL PRIMARY DRINKING WATER REGULATIONS: GROUND WATER RULE

Regulatory Plan: This entry is Seq. No. 144 in Part II of this issue of the *Federal Register*.

RIN: 2040-AA97

3899. NATIONAL PRIMARY DRINKING WATER REGULATIONS: ARSENIC AND CLARIFICATIONS TO COMPLIANCE AND NEW SOURCE CONTAMINANT MONITORING

Regulatory Plan: This entry is Seq. No. 145 in Part II of this issue of the *Federal Register*.

RIN: 2040-AB75

3900. NATIONAL PRIMARY DRINKING WATER REGULATIONS: SULFATE

Priority: Other Significant

Legal Authority: 42 USC 300(f) SDWA sec 1412

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline: Other, Statutory, August 6, 2001, Decision whether to regulate.

Abstract: Sulfate is on the list of 83 contaminants required to be regulated under the Safe Drinking Water Act (SDWA) of 1986. The contaminant was deferred from the Phase V regulation in order to allow the EPA time to focus on implementation issues arising from the proposal concerning the risk of sulfate in drinking water to specific subpopulations. Sulfate can cause diarrhea in infants and in adults not acclimated to high sulfate-containing water, such as travelers. Persons who are acclimated to high sulfate-containing water suffer no adverse effects from its consumption. Sulfate occurs naturally in soil and is also found in surface water as a result of acid rain. Sulfate is also used as a reagent in steel and copper industries and in the manufacture of copper sulfate, a fungicide/algicide. An estimated 2,000 systems—serving a population of 200,000 residents, 1 million travelers, and 30,000 infants—

are likely to be affected by this regulation. Most of the affected systems serve populations of less than 3,000 and are transient systems not in service year-round. EPA proposed but never finalized several options for compliance which would be an alternative to central treatment and less costly. The 1996 amendments to the SDWA call for a definitive study to resolve remaining health risk questions. Thereafter, EPA is to make a determination whether or not to regulate sulfate. EPA and the Centers for Disease Control have conducted the health risk study for sulfate. The results of the study will serve as the basis for the Agency's determination on whether to regulate sulfate.

Timetable:

Action	Date	FR Cite
NPRM	12/20/94	59 FR 65578
Notice Sulfate Study	02/11/99	64 FR 7028
Final Action - Decision To Regulate or Not	08/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 3176

Sectors Affected: 22131 Water Supply and Irrigation Systems

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RIN: 2040-AC07

3901. REFORMATTING OF DRINKING WATER REGULATIONS

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 300(f) SDWA sec 1412

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline: None

Abstract: This rule reformats the current drinking water regulations to make them easier to understand and follow. This rule is not intended to change any of the regulatory requirements. The rule assists State, local and tribal governments in that it makes the rules easier to implement and thus facilitates their jobs.

Timetable:

Action	Date	FR Cite
Direct Final Rule	09/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SAN No. 3563

Sectors Affected: 22131 Water Supply and Irrigation Systems

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RIN: 2040-AC41

3902. NATIONAL PRIMARY DRINKING WATER REGULATIONS: RADIUM, URANIUM, ALPHA, BETA AND PHOTON EMITTERS

Priority: Other Significant

Legal Authority: 42 USC 300(f) SDWA sec 1412

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline: Final, Judicial, November 21, 2000, for Uranium. Other, Judicial, November 21, 2000, See additional information.

Abstract: Standards for radium, alpha, and beta and photon emitters were promulgated in 1976. They were included in the list of 83 contaminants for regulation (because they had MCLs but not MCLGs), along with uranium in the 1986 Safe Drinking Water Act (SDWA) Amendments. Regulations for uranium, radium 226, radium 228, and gross alpha and beta particles were proposed on July 18, 1991. The 1991 proposal was to raise the standard for radium 226/228 from combined level of 5 pCi/l to a separate standard of 20 pCi/l, and proposed uranium at 20 ug/l. Pursuant to court agreement, EPA will

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take final action on proposed uranium regulations by November 2000, and final action on radium, alpha, beta, and photon emitters or state reasons for not taking final action by November 2000.

Timetable:

Action	Date	FR Cite
ANPRM	09/30/86	51 FR 34836
NPRM	07/18/91	56 FR 33050
NODA	04/21/00	65 FR 21576
Final Action	11/00/00	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 3992

“Judicial Other” Deadline Description: Final or rationale for not taking final action on Radium, Alpha, Beta and Photon emitters.

Sectors Affected: 22131 Water Supply and Irrigation Systems

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RIN: 2040–AC98

3903. NATIONAL PRIMARY DRINKING WATER REGULATIONS: LONG-TERM 1 ENHANCED SURFACE WATER TREATMENT RULE

Priority: Other Significant

Legal Authority: SDWA 1412(b)(2)(C)

CFR Citation: 40 CFR 9 (Revision); 40 CFR 141; 40 CFR 142 (Revision)

Legal Deadline: Final, Statutory, November 30, 2000.

Abstract: The purposes of the Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR) are to improve control of microbial pathogens, specifically the protozoan *Cryptosporidium*, in drinking water; and address risk trade-offs with disinfection byproducts. The

LT1ESWTR builds upon the framework established for systems serving a population of 10,000 or more in the Interim Enhanced Surface Water Treatment Rule (IESWTR). The LT1ESWTR applies to public water systems that use surface water or groundwater under the direct influence of surface water and serve fewer than 10,000 persons and includes the following provisions: (1) 2-log removal of *Cryptosporidium*; (2) compliance with specific combined filter fluent turbidity requirements; (3) continuous turbidity monitoring for individual filters with follow-up activities based on monitoring results; (4) development of a disinfection profile unless applicability monitoring at a particular plant demonstrated TTHM and HAA5 levels less than 0.064 mg/L and 0.048 mg/L respectively; (5) development of a *Giardia* inactivation disinfection benchmark and consultation with the State before making a significant change in disinfection practices; (6) mandatory covers for all newly constructed finished water reservoirs; and (7) unfiltered system compliance with updated watershed control requirements that add *Cryptosporidium* as a pathogen of concern.

Timetable:

Action	Date	FR Cite
NPRM	04/10/00	65 FR 19095
Final Action	01/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 4147

Sectors Affected: 22131 Water Supply and Irrigation Systems

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RIN: 2040–AD18

3904. REVISION TO THE INTERIM ENHANCED SURFACE WATER TREATMENT RULE (IESWTR) AND THE STAGE 1 DISINFECTANTS AND DISINFECTION BYPRODUCTS RULE (DBPR).

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 300(f)-300(j) SWDA 1412

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline: None

Abstract: This action will make minor revisions to the IESWTR and the DBPR which were published December 16, 1998. The primary purpose of this Final Rule is to revise the compliance date of both rules. A key outcome of this change will be to shift the monitoring periods to coincide with standard quarters, which will facilitate the implementation of both rules. This action will also extend the use of new analytical methods for Total Trihalomethanes (TTHM), that are included in these rules, for compliance with existing drinking water regulations. The revisions also include a few minor changes to the regulatory language which will clarify interpretation of the regulatory requirements.

Timetable:

Action	Date	FR Cite
NPRM	04/14/00	65 FR 20304
Direct Final Rule	04/14/00	65 FR 20314
Direct Final Rule Withdrawal	06/13/00	65 FR 37052
Final Action	11/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 4281

Sectors Affected: 22131 Water Supply and Irrigation Systems

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RIN: 2040–AD43

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3905. • NATIONAL PRIMARY DRINKING WATER REGULATIONS: FILTER BACKWASH RECYCLING RULE**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 300g-1(b)(14); SDWA 1412(b)(14)**CFR Citation:** 40 CFR 141.76; 40 CFR 142.16**Legal Deadline:** Final, Statutory, August 31, 2000.

Abstract: In 1990, EPA's Science Advisory Board (SAB), an independent panel of experts established by Congress, cited drinking water contamination as one of the most important environmental risks and indicated that disease-causing microbial contaminants (i.e., bacteria, protozoa, and viruses) are probably the greatest remaining health risk management challenge for drinking water suppliers. The 1996 Amendments to the Safe Drinking Water Act reaffirmed this conclusion by requiring EPA to promulgate a number of regulations to address public health concerns associated with drinking water. One such requirement (Section 1412(b)(14)) was that EPA promulgates regulations to "govern" the recycle of filter backwash within the treatment process of public utilities.

In developing the Filter Backwash Recycling Rule (FBRR), EPA analyzed a variety of issues. The FBRR contains three major components: (1) recycle streams must be returned to a location such that all processes of a system's conventional or direct filtration are employed; (2) direct filtration systems which recycle must report practices to the State; and (3) conventional filtration systems which recycle must report practices to the State.

The FBRR was proposed along with the Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR) in a single NPRM and was published in the Federal Register on April 10, 2000. Each will be finalized in separate rulemakings.

Timetable:

Action	Date	FR Cite
NPRM	04/10/00	65 FR 19045
Final Action	11/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** Federal, State, Local, Tribal**Additional Information:** SAN No. 4146**Sectors Affected:** 22131 Water Supply and Irrigation Systems

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RIN: 2040-AD65**3906. UPDATE OF STATE UNDERGROUND INJECTION CONTROL PROGRAMS****Priority:** Info./Admin./Other**Legal Authority:** 42 USC 300h-1 SDWA Section 1422; 42 USC 300h-4 SDWA Section 1425**CFR Citation:** 40 CFR 147 (Revision)**Legal Deadline:** None

Abstract: EPA provides a place in its regulations where all the State UIC programs are summarized. Included in this summarization are all the authorities and regulations used by the States to implement the UIC program, as well as all other documents that are relevant to the program. The primary reason for this is to provide one place where all the UIC programs nationwide are presented. A secondary reason, more importantly, is to allow EPA to adopt by reference the States' legal authorities. By this adoption, EPA can intervene directly in a State using the State program authorities. Current citations to State regulations in 40 CFR part 147 are out of date for many States. Therefore, this update is necessary. EPA Regional Offices will be submitting State revision packages as they are completed. Part 147 will then be updated in several stages. This is the first stage. This effort should have no impact on the regulated community.

Timetable:

Action	Date	FR Cite
Direct Final Rule	08/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** State**Additional Information:** SAN No. 4236

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RIN: 2040-AD40**3907. DRINKING WATER STATE REVOLVING FUND REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 300j-12 SDWA 1452 (g)(3)**CFR Citation:** 40 CFR 35**Legal Deadline:** None

Abstract: The Safe Drinking Water Act (SDWA) Amendments of 1996 established a Drinking Water State Revolving Fund (DWSRF) program to assist public water systems in financing the costs of infrastructure needed to achieve or maintain compliance with SDWA requirements and to further the public health objectives of the Act. The SDWA amendments authorize the Administrator of the U.S. Environmental Protection Agency (EPA) to award capitalization grants to States, which in turn provide low cost loans and other types of assistance to eligible systems. A State determines the portion of the funds from the capitalization grant to conduct set-aside activities and the remaining grant monies are deposited into the project fund to finance infrastructure projects. Each State has considerable flexibility, with minimum Federal requirements imposed, to determine the design of its DWSRF program and to direct funding toward its most pressing compliance and public health needs. This regulation is intended to codify the DWSRF Final Guidelines published in February 1997 which explain: what

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States must do to receive a DWSRF capitalization grant; what States may do with Federal capitalization grant funds; what States may do with funds the law intends for activities other than project construction (set-asides); and the roles of both the States and EPA in managing and administering the program. The DWSRF program helps to ensure that the Nation's drinking water supplies remain safe and affordable, that drinking water systems that receive funding are properly operated and

maintained, and that permanent institutions exist in each State to provide financial support for drinking water needs.

Timetable:

Action	Date	FR Cite
Interim Final	08/07/00	65 FR 48285
Final Action	03/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: SAN No. 4152

Sectors Affected: 22131 Water Supply and Irrigation Systems

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RIN: 2040-AD20

**Environmental Protection Agency (EPA)
Safe Drinking Water Act (SDWA)****Completed Actions****3908. • REMOVAL OF THE MAXIMUM CONTAMINANT LEVEL GOAL FOR CHLOROFORM FROM THE NATIONAL PRIMARY DRINKING WATER REGULATIONS**

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 300f SDWA sec 1412

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline: Final, Judicial, May 30, 2000.

Abstract: In December 1998, EPA promulgated National Primary Drinking Water Regulations (NPDWRs) for disinfectants and disinfection byproducts (D/DBPs) that included a Maximum Contaminant Level Goal (MCLG) of zero for chloroform, a disinfectant byproduct. The MCLG was challenged by the Chlorine Chemistry Council and Chemical Manufacturers Association. In Chlorine Chemistry Council and Chemical Manufacturers Association v. EPA, (No. 981627) filed on March 31, 2000, the Court issued

an order vacating the zero MCLG. This rule removes the MCLG for chloroform from the NPDWRs to ensure that the regulations conform to the Court's order. No other provision of the D/DBP regulations is affected.

Timetable:

Action	Date	FR Cite
Final Action	05/30/00	65 FR 34404

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Local, Tribal

Additional Information: SAN No. 4436

Split from RIN 2040-AB82.

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RIN: 2040-AD64

3909. PUBLIC WATER SYSTEM PUBLIC NOTIFICATION REGULATION

Priority: Substantive, Nonsignificant

CFR Citation: 40 CFR 141.32; 40 CFR 142.14; 40 CFR 142.15; 40 CFR 142.16; 40 CFR 143.5; 40 CFR 141.201; 40 CFR 141.202; 40 CFR 141.203; 40 CFR 141.204; 40 CFR 141.205; 40 CFR 141.206; 40 CFR 141.207; 40 CFR 141.208; 40 CFR 141.209; 40 CFR 141.210; ...

Completed:

Reason	Date	FR Cite
Final Action	05/04/00	65 FR 25981

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal, State, Local, Tribal

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RIN: 2040-AD06

**Environmental Protection Agency (EPA)
Shore Protection Act (SPA)****Final Rule Stage****3910. SHORE PROTECTION ACT, SECTION 4103(B) REGULATIONS**

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 2601 Shore Protection Act of 1988; PL 100-688 4103(b)

CFR Citation: 40 CFR 237

Legal Deadline: None

Abstract: This rule will implement the Shore Protection Act (SPA) and is designed to prevent the deposit of

municipal and commercial waste into U.S. Coastal Waters. This rule establishes minimum waste handling practices for vessels and waste handling facilities involved in the transport of municipal or commercial wastes in the coastal waters of the U.S. The rule may require certain vessels and waste handling facilities to develop an operation and maintenance manual that identifies procedures to prevent, report, and clean up deposits of waste into coastal waters. Local governments

and businesses involved with the vessel transportation and shore side handling of these wastes would be affected by this rule. Currently no tribes are known to be involved in waste handling of this type; therefore none would be affected by this rule. In regards to small businesses, EPA has provided guidance on development of operation and maintenance manuals and encourages the use and documentation of existing industry practices that meet or exceed the EPA proposed minimum waste

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handling standards. All indications are that this regulation as proposed would have a minimal economic impact. This regulation will result in reduction of municipal and commercial wastes deposited in coastal waters.

Timetable:

Action	Date	FR Cite
NPRM	08/30/94	59 FR 44798
Final Action	02/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Local

Additional Information: SAN No. 2820

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